



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 13, 2012

H8223	3
H8224	19
H8225	20
H8226	21
H8227	22
H8228	24
H8229	25
H8230	27
H8231	32
H8232	33
H8233	35
H8234	37
H8235	40
H8236	41
H8237	42
H8238	43
H8239	44
H8240	45
H8241	46
H8242	47
H8243	48
H8244	49
H8245	50
H8246	52
H8247	53
H8248	54
H8249	55
H8250	57
H8251	58
H8252	60
H8253	62
H8254	64
H8255	66
H8256	67
H8257	68
H8258	70



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 13, 2012

H8259	71
HF2437	73
HF2438	76
HF2439	82
HF2440	85
HF2441	87
HF2442	92
HF2443	109
HR127	114
HR128	116
HR129	118
S5080	121
S5081	122
S5082	123
S5083	125
S5084	126
S5085	142
S5086	143
S5087	144
SR116	145
SSB3193	147
SSB3194	153



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 13, 2012

Senate File 2313

H-8223

1 Amend Senate File 2313, as amended, passed, and
2 reprinted by the Senate, as follows:

3 1. By striking everything after the enacting clause
4 and inserting:

5 <Section 1. 2011 Iowa Acts, chapter 127, section
6 9, subsection 2, paragraph c, is amended by adding the
7 following new subparagraph:

8 NEW SUBPARAGRAPH. (3) Notwithstanding section
9 8.33 or any other provision to the contrary,
10 any unencumbered or unobligated balance of the
11 appropriation made in this paragraph for the
12 insurance division or any other appropriation made for
13 operational purposes for the fiscal year beginning July
14 1, 2011, and ending June 30, 2012, that remains unused,
15 unencumbered, or unobligated at the close of the fiscal
16 year shall not revert but shall remain available to be
17 used for any relocation costs of the division in the
18 succeeding fiscal year.

19 Sec. 2. 2011 Iowa Acts, chapter 127, section 61, is
20 amended to read as follows:

21 SEC. 61. DEPARTMENT OF ADMINISTRATIVE SERVICES.

22 1. There is appropriated from the general fund of
23 the state to the department of administrative services
24 for the fiscal year beginning July 1, 2012, and ending
25 June 30, 2013, the following amounts, or so much
26 thereof as is necessary, to be used for the purposes
27 designated, and for not more than the following
28 full-time equivalent positions:

29 a. For salaries, support, maintenance, and
30 miscellaneous purposes:

31	\$	2,010,172
32		<u>3,901,735</u>
33	FTEs	84.18
34		<u>78.37</u>

35 b. For the payment of utility costs:

36	\$	1,313,230
37		<u>2,548,973</u>
38	FTEs	1.00

39 Notwithstanding section 8.33, any excess funds
40 appropriated for utility costs in this lettered
41 paragraph shall not revert to the general fund of the
42 state at the end of the fiscal year but shall remain
43 available for expenditure for the purposes of this
44 lettered paragraph during the succeeding fiscal year.

45 c. For Terrace Hill operations:

46	\$	202,957
47		<u>393,939</u>
48	FTEs	6.88

49 d. For the I3 distribution account:

50	\$	1,638,973
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SF2313.4978 (1) 84

-1-

ec/tm

1/16



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 13, 2012

1
2 e. For operations and maintenance of the Iowa 0
3 building:
4 \$ 497,768
5 966,164
6 FTEs 7.00
7 6.78
8 2. Members of the general assembly serving as
9 members of the deferred compensation advisory board
10 shall be entitled to receive per diem and necessary
11 travel and actual expenses pursuant to section 2.10,
12 subsection 5, while carrying out their official duties
13 as members of the board.
14 3. Any funds and premiums collected by the
15 department for workers' compensation shall be
16 segregated into a separate workers' compensation
17 fund in the state treasury to be used for payment of
18 state employees' workers' compensation claims and
19 administrative costs. Notwithstanding section 8.33,
20 unencumbered or unobligated moneys remaining in this
21 workers' compensation fund at the end of the fiscal
22 year shall not revert but shall be available for
23 expenditure for purposes of the fund for subsequent
24 fiscal years.
25 Sec. 3. DEPARTMENT OF ADMINISTRATIVE SERVICES
26 — TRANSFER — MEDICATION THERAPY MANAGEMENT
27 PROGRAM. Contingent upon the enactment of legislation
28 during the 2012 legislative session establishing
29 a medication therapy management program, there is
30 transferred from the fees collected by the board of
31 pharmacy pursuant to chapter 155A and retained by the
32 board pursuant to the authority granted in section
33 147.82 to the department of administrative services
34 for the fiscal year beginning July 1, 2012, and ending
35 June 30, 2013, \$510,000 to be used for the medication
36 therapy management program.
37 Sec. 4. 2011 Iowa Acts, chapter 127, section 65, is
38 amended to read as follows:
39 SEC. 65. AUDITOR OF STATE.
40 1. There is appropriated from the general fund of
41 the state to the office of the auditor of state for the
42 fiscal year beginning July 1, 2012, and ending June
43 30, 2013, subject to subsection 3 of this section, the
44 following amount, or so much thereof as is necessary,
45 to be used for the purposes designated, and for not
46 more than the following full-time equivalent positions:
47 For salaries, support, maintenance, and
48 miscellaneous purposes:
49 \$ 452,734
50 878,755

SF2313.4978 (1) 84

-2-

ec/tm

2/16



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 13, 2012

1 FTEs 103.00
2 2. The auditor of state may retain additional
3 full-time equivalent positions as is reasonable and
4 necessary to perform governmental subdivision audits
5 which are reimbursable pursuant to section 11.20
6 or 11.21, to perform audits which are requested by
7 and reimbursable from the federal government, and
8 to perform work requested by and reimbursable from
9 departments or agencies pursuant to section 11.5A
10 or 11.5B. The auditor of state shall notify the
11 department of management, the legislative fiscal
12 committee, and the legislative services agency of the
13 additional full-time equivalent positions retained.
14 3. The auditor of state shall allocate resources
15 from the appropriation in this section solely for audit
16 work related to the comprehensive annual financial
17 report, federally required audits, and investigations
18 of embezzlement, theft, or other significant financial
19 irregularities until the audit of the comprehensive
20 annual financial report is complete.
21 Sec. 5. 2011 Iowa Acts, chapter 127, section 66, is
22 amended to read as follows:
23 SEC. 66. IOWA ETHICS AND CAMPAIGN DISCLOSURE
24 BOARD. There is appropriated from the general fund of
25 the state to the Iowa ethics and campaign disclosure
26 board for the fiscal year beginning July 1, 2012, and
27 ending June 30, 2013, the following amount, or so much
28 thereof as is necessary, for the purposes designated:
29 For salaries, support, maintenance, and
30 miscellaneous purposes, and for not more than the
31 following full-time equivalent positions:
32 \$ 237,500
33 475,000
34 FTEs 5.00
35 Sec. 6. 2011 Iowa Acts, chapter 127, section 67,
36 subsection 1, is amended to read as follows:
37 1. There is appropriated from the general fund
38 of the state to the department of commerce for the
39 fiscal year beginning July 1, 2012, and ending June 30,
40 2013, the following amounts, or so much thereof as is
41 necessary, for the purposes designated:
42 a. ALCOHOLIC BEVERAGES DIVISION
43 For salaries, support, maintenance, and
44 miscellaneous purposes, and for not more than the
45 following full-time equivalent positions:
46 \$ 610,196
47 1,184,387
48 FTEs 21.00
49 18.50
50 b. PROFESSIONAL LICENSING AND REGULATION BUREAU

SF2313.4978 (1) 84

-3-

ec/tm

3/16



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 13, 2012

1 For salaries, support, maintenance, and
2 miscellaneous purposes, and for not more than the
3 following full-time equivalent positions:
4 \$ 300,177
5 582,641
6 FTEs 12.00
7 Sec. 7. 2011 Iowa Acts, chapter 127, section 67,
8 subsection 2, paragraphs a, b, and c, are amended to
9 read as follows:
10 a. BANKING DIVISION
11 For salaries, support, maintenance, and
12 miscellaneous purposes, and for not more than the
13 following full-time equivalent positions:
14 \$ 4,425,835
15 9,098,170
16 FTEs 80.00
17 70.50
18 b. CREDIT UNION DIVISION
19 For salaries, support, maintenance, and
20 miscellaneous purposes, and for not more than the
21 following full-time equivalent positions:
22 \$ 863,998
23 1,792,995
24 FTEs 19.00
25 15.00
26 c. INSURANCE DIVISION
27 (1) For salaries, support, maintenance, and
28 miscellaneous purposes, and for not more than the
29 following full-time equivalent positions:
30 \$ 2,491,622
31 4,983,244
32 FTEs 106.50
33 99.50
34 (2) The insurance division may reallocate
35 authorized full-time equivalent positions as necessary
36 to respond to accreditation recommendations or
37 requirements. The insurance division expenditures
38 for examination purposes may exceed the projected
39 receipts, refunds, and reimbursements, estimated
40 pursuant to section 505.7, subsection 7, including the
41 expenditures for retention of additional personnel,
42 if the expenditures are fully reimbursable and the
43 division first does both of the following:
44 (a) Notifies the department of management, the
45 legislative services agency, and the legislative fiscal
46 committee of the need for the expenditures.
47 (b) Files with each of the entities named in
48 subparagraph division (a) the legislative and
49 regulatory justification for the expenditures, along
50 with an estimate of the expenditures.

SF2313.4978 (1) 84

-4-

ec/tm

4/16



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 13, 2012

1 Sec. 8. 2011 Iowa Acts, chapter 127, section 67,
2 subsection 2, paragraph d, subparagraphs (1) and (2),
3 are amended to read as follows:

4 (1) For salaries, support, maintenance, and
5 miscellaneous purposes, and for not more than the
6 following full-time equivalent positions:

7	\$	4,086,535
8		<u>8,173,069</u>
9	FTEs	<u>79.00</u>

10 (2) The utilities division may expend additional
11 funds, including funds for additional personnel, if
12 those additional expenditures are actual expenses which
13 exceed the funds budgeted for utility regulation and
14 the expenditures are fully reimbursable. Before the
15 division expends or encumbers an amount in excess of
16 the funds budgeted for regulation, the division shall
17 first do both of the following:

18 (a) Notify the department of management, the
19 legislative services agency, and the legislative fiscal
20 committee of the need for the expenditures.

21 (b) File with each of the entities named in
22 subparagraph division (a) the legislative and
23 regulatory justification for the expenditures, along
24 with an estimate of the expenditures.

25 Sec. 9. 2011 Iowa Acts, chapter 127, section 67,
26 subsection 2, paragraph d, subparagraph (4), is amended
27 to read as follows:

28 (4) In addition to the funds otherwise appropriated
29 to the division in subparagraph (1), and contingent
30 upon the enactment of legislation during the ~~2011~~
31 2012 legislative session relating to the permitting,
32 licensing, construction, and operation of nuclear
33 generation facilities and establishing rate-making
34 principles in relation thereto, for salaries, support,
35 consulting, maintenance, and miscellaneous purposes,
36 and for not more than the following full-time
37 equivalent positions:

38	\$	425,000
39	FTEs	3.50

40 Sec. 10. 2011 Iowa Acts, chapter 127, section 68,
41 is amended to read as follows:

42 SEC. 68. DEPARTMENT OF COMMERCE — PROFESSIONAL
43 LICENSING AND REGULATION BUREAU. There is appropriated
44 from the housing trust fund of the Iowa finance
45 authority created in section 16.181, to the bureau of
46 professional licensing and regulation of the banking
47 division of the department of commerce for the fiscal
48 year beginning July 1, 2012, and ending June 30,
49 2013, the following amount, or so much thereof as is
50 necessary, to be used for the purposes designated:

SF2313.4978 (1) 84

-5-

ec/tm

5/16



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 13, 2012

1 For salaries, support, maintenance, and
2 miscellaneous purposes:
3 \$ 31,159
4 62,317
5 Sec. 11. IOWA TELECOMMUNICATIONS AND TECHNOLOGY
6 COMMISSION — REGIONAL TELECOMMUNICATIONS
7 COUNCILS. There is appropriated from the general
8 fund of the state to the Iowa telecommunications and
9 technology commission for the fiscal year beginning
10 July 1, 2012, and ending June 30, 2013, the following
11 amounts, or so much thereof as is necessary, to be used
12 for the purposes designated:
13 For state aid for regional telecommunications
14 councils:
15 \$ 992,913
16 The regional telecommunications councils established
17 in section 8D.5 shall use the moneys appropriated
18 in this section to provide technical assistance for
19 network classrooms, planning and troubleshooting for
20 local area networks, scheduling of video sites, and
21 other related support activities.
22 Sec. 12. 2011 Iowa Acts, chapter 127, section 69,
23 is amended to read as follows:
24 SEC. 69. GOVERNOR AND LIEUTENANT GOVERNOR. There
25 is appropriated from the general fund of the state to
26 the offices of the governor and the lieutenant governor
27 for the fiscal year beginning July 1, 2012, and ending
28 June 30, 2013, the following amounts, or so much
29 thereof as is necessary, to be used for the purposes
30 designated:
31 For salaries, support, maintenance, and
32 miscellaneous purposes:
33 \$ 1,144,013
34 2,220,523
35 FTEs 22.88
36 22.00
37 Sec. 13. 2011 Iowa Acts, chapter 127, section 70,
38 is amended to read as follows:
39 SEC. 70. GOVERNOR'S OFFICE OF DRUG CONTROL
40 POLICY. There is appropriated from the general fund
41 of the state to the governor's office of drug control
42 policy for the fiscal year beginning July 1, 2012, and
43 ending June 30, 2013, the following amount, or so much
44 thereof as is necessary, to be used for the purposes
45 designated:
46 For salaries, support, maintenance, and
47 miscellaneous purposes, including statewide
48 coordination of the drug abuse resistance education
49 (D.A.R.E.) programs or similar programs, and for not
50 more than the following full-time equivalent positions:

SF2313.4978 (1) 84

-6-

ec/tm

6/16



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 13, 2012

1 \$ 145,000
2 290,000
3 FTEs 8.00
4 6.00
5 Sec. 14. 2011 Iowa Acts, chapter 127, section 71,
6 is amended to read as follows:
7 SEC. 71. DEPARTMENT OF HUMAN RIGHTS. There is
8 appropriated from the general fund of the state to
9 the department of human rights for the fiscal year
10 beginning July 1, 2012, and ending June 30, 2013, the
11 following amounts, or so much thereof as is necessary,
12 to be used for the purposes designated:
13 1. CENTRAL ADMINISTRATION DIVISION
14 For salaries, support, maintenance, and
15 miscellaneous purposes, and for not more than the
16 following full-time equivalent positions:
17 \$ 103,052
18 200,022
19 FTEs 7.00
20 5.35
21 2. COMMUNITY ADVOCACY AND SERVICES DIVISION
22 For salaries, support, maintenance, and
23 miscellaneous purposes, and for not more than the
24 following full-time equivalent positions:
25 \$ 514,039
26 997,746
27 FTEs 17.00
28 9.38
29 3. CRIMINAL AND JUVENILE JUSTICE PLANNING DIVISION
30 For salaries, support, maintenance, and
31 miscellaneous purposes, and for not more than the
32 following full-time equivalent positions:
33 \$ 511,946
34 993,685
35 FTEs 10.00
36 The criminal and juvenile justice planning advisory
37 council and the juvenile justice advisory council
38 shall coordinate their efforts in carrying out their
39 respective duties relative to juvenile justice.
40 Sec. 15. 2011 Iowa Acts, chapter 127, section 72,
41 is amended to read as follows:
42 SEC. 72. DEPARTMENT OF INSPECTIONS AND
43 APPEALS. There is appropriated from the general fund
44 of the state to the department of inspections and
45 appeals for the fiscal year beginning July 1, 2012, and
46 ending June 30, 2013, the following amounts, or so much
47 thereof as is necessary, for the purposes designated:
48 1. ADMINISTRATION DIVISION
49 For salaries, support, maintenance, and
50 miscellaneous purposes, and for not more than the

SF2313.4978 (1) 84

-7-

ec/tm

7/16



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 13, 2012

1 following full-time equivalent positions:
2 \$ 763,870
3 248,409
4 FTEs 37.40
5 14.25
6 2. ADMINISTRATIVE HEARINGS DIVISION
7 For salaries, support, maintenance, and
8 miscellaneous purposes, and for not more than the
9 following full-time equivalent positions:
10 \$ 264,377
11 528,753
12 FTEs 23.00
13 3. INVESTIGATIONS DIVISION
14 a. For salaries, support, maintenance, and
15 miscellaneous purposes, and for not more than the
16 following full-time equivalent positions:
17 \$ 584,320
18 1,168,639
19 FTEs 58.50
20 b. The department, in coordination with the
21 investigations division, shall provide a report to
22 the general assembly by January 10, 2013, concerning
23 the fiscal impact of additional full-time equivalent
24 positions on the department's efforts relative to the
25 Medicaid divestiture program under chapter 249F.
26 4. HEALTH FACILITIES DIVISION
27 a. For salaries, support, maintenance, and
28 miscellaneous purposes, and for not more than the
29 following full-time equivalent positions:
30 \$ 1,777,664
31 3,917,666
32 FTEs 134.75
33 121.75
34 b. The department shall, in coordination with
35 the health facilities division, make the following
36 information available to the public in a timely manner,
37 to include providing the information on as part of
38 the department's development efforts to revise the
39 department's internet website, during the fiscal year
40 beginning July 1, 2012, and ending June 30, 2013:
41 (1) The number of inspections conducted by the
42 division annually by type of service provider and type
43 of inspection.
44 (2) The total annual operations budget for the
45 division, including general fund appropriations and
46 federal contract dollars received by type of service
47 provider inspected.
48 (3) The total number of full-time equivalent
49 positions in the division, to include the number of
50 full-time equivalent positions serving in a supervisory

SF2313.4978 (1) 84

-8-

ec/tm

8/16



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 13, 2012

1 capacity, and serving as surveyors, inspectors, or
2 monitors in the field by type of service provider
3 inspected.
4 (4) Identification of state and federal survey
5 trends, cited regulations, the scope and severity of
6 deficiencies identified, and federal and state fines
7 assessed and collected concerning nursing and assisted
8 living facilities and programs.
9 c. It is the intent of the general assembly that
10 the department and division continuously solicit input
11 from facilities regulated by the division to assess and
12 improve the division's level of collaboration and to
13 identify new opportunities for cooperation.
14 5. EMPLOYMENT APPEAL BOARD
15 a. For salaries, support, maintenance, and
16 miscellaneous purposes, and for not more than the
17 following full-time equivalent positions:
18 \$ 21,108
19 42,215
20 FTEs 14.00
21 b. The employment appeal board shall be reimbursed
22 by the labor services division of the department
23 of workforce development for all costs associated
24 with hearings conducted under chapter 91C, related
25 to contractor registration. The board may expend,
26 in addition to the amount appropriated under this
27 subsection, additional amounts as are directly billable
28 to the labor services division under this subsection
29 and to retain the additional full-time equivalent
30 positions as needed to conduct hearings required
31 pursuant to chapter 91C.
32 6. CHILD ADVOCACY BOARD
33 a. For foster care review and the court appointed
34 special advocate program, including salaries, support,
35 maintenance, and miscellaneous purposes, and for not
36 more than the following full-time equivalent positions:
37 \$ 1,340,145
38 2,680,290
39 FTEs 40.80
40 32.35
41 b. The department of human services, in
42 coordination with the child advocacy board and the
43 department of inspections and appeals, shall submit an
44 application for funding available pursuant to Tit. IV-E
45 of the federal Social Security Act for claims for child
46 advocacy board administrative review costs.
47 c. The court appointed special advocate program
48 shall investigate and develop opportunities for
49 expanding fund-raising for the program.
50 d. Administrative costs charged by the department

SF2313.4978 (1) 84

-9-

ec/tm

9/16



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 13, 2012

1 of inspections and appeals for items funded under this
2 subsection shall not exceed 4 percent of the amount
3 appropriated in this subsection.
4 Sec. 16. 2011 Iowa Acts, chapter 127, section 72,
5 is amended by adding the following new subsection:
6 NEW SUBSECTION. 7. FOOD AND CONSUMER SAFETY
7 For salaries, support, maintenance, and
8 miscellaneous purposes, and for not more than the
9 following full-time equivalent positions:
10 \$ 1,279,331
11 FTEs 21.00
12 Sec. 17. 2011 Iowa Acts, chapter 127, section 73,
13 is amended to read as follows:
14 SEC. 73. DEPARTMENT OF INSPECTIONS AND APPEALS —
15 MUNICIPAL CORPORATION FOOD INSPECTIONS. For the fiscal
16 year beginning July 1, 2012, and ending June 30, 2013,
17 the department of inspections and appeals shall retain
18 any license fees generated during the fiscal year as
19 a result of actions under section 137F.3A occurring
20 during the period beginning July 1, 2009, and ending
21 June 30, ~~2011~~ 2013, for the purpose of enforcing the
22 provisions of chapters 137C, 137D, and 137F.
23 Sec. 18. DEPARTMENT OF INSPECTIONS AND
24 APPEALS — GENERAL SUPPORT — MEDICAID FRAUD FUND
25 APPROPRIATION. There is appropriated from the Medicaid
26 fraud fund created in section 249A.7 to the health
27 facilities division of the department of inspections
28 and appeals for the fiscal year beginning July 1, 2012,
29 and ending June 30, 2013, the following amount, or
30 so much thereof as is necessary, to be used for the
31 purposes designated:
32 For salaries, support, maintenance, and
33 miscellaneous purposes:
34 \$ 286,661
35 Sec. 19. DEPARTMENT OF INSPECTIONS AND APPEALS
36 — STATE MATCH REQUIREMENTS — MEDICAID FRAUD FUND
37 APPROPRIATION. There is appropriated from the Medicaid
38 fraud fund created in section 249A.7 to the department
39 of inspections and appeals for the fiscal year
40 beginning July 1, 2012, and ending June 30, 2013, the
41 following amounts, or so much thereof as is necessary,
42 to be used for the purposes designated:
43 1. To cover the cost of any state match to draw
44 down matching federal funds through the department of
45 human services for additional full-time equivalent
46 positions for conducting investigations of alleged
47 fraud and overpayments of food assistance benefits
48 through electronic benefits transfer:
49 \$ 119,070
50 2. For the state financial match requirement

SF2313.4978 (1) 84

-10-

ec/tm

10/16



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 13, 2012

1 for meeting the federal mandates connected with the
2 department's Medicaid fraud and abuse activities:
3 \$ 885,262
4 3. To cover costs incurred by the department or
5 other agencies in providing regulation, responding to
6 allegations, or other activity involving chapter 1350:
7 \$ 119,480
8 Sec. 20. DEPARTMENT OF INSPECTIONS AND APPEALS
9 — LEGISLATIVE IMPLEMENTATION — MEDICAID FRAUD FUND
10 APPROPRIATION. There is appropriated from the Medicaid
11 fraud fund created in section 249A.7 to the department
12 of inspections and appeals for the fiscal year
13 beginning July 1, 2012, and ending June 30, 2013, the
14 following amount, or so much thereof as is necessary,
15 to be used for the purposes designated:
16 For salaries, support, maintenance, miscellaneous
17 purposes, administration, and other costs associated
18 with implementation of 2010 Iowa Acts, chapter 1177:
19 \$ 250,000
20 Sec. 21. 2011 Iowa Acts, chapter 127, section 78,
21 is amended to read as follows:
22 SEC. 78. RACING AND GAMING COMMISSION.
23 1. RACETRACK REGULATION
24 There is appropriated from the gaming regulatory
25 revolving fund established in section 99F.20 to the
26 racing and gaming commission of the department of
27 inspections and appeals for the fiscal year beginning
28 July 1, 2012, and ending June 30, 2013, the following
29 amount, or so much thereof as is necessary, to be used
30 for the purposes designated:
31 For salaries, support, maintenance, and
32 miscellaneous purposes for the regulation of
33 pari-mutuel racetracks, and for not more than the
34 following full-time equivalent positions:
35 \$ 1,255,720
36 2,898,925
37 FTEs 28.53
38 32.03
39 2. EXCURSION BOAT AND GAMBLING STRUCTURE REGULATION
40 There is appropriated from the gaming regulatory
41 revolving fund established in section 99F.20 to the
42 racing and gaming commission of the department of
43 inspections and appeals for the fiscal year beginning
44 July 1, 2012, and ending June 30, 2013, the following
45 amount, or so much thereof as is necessary, to be used
46 for the purposes designated:
47 For salaries, support, maintenance, and
48 miscellaneous purposes for administration and
49 enforcement of the excursion boat gambling and gambling
50 structure laws, and for not more than the following

SF2313.4978 (1) 84

-11-

ec/tm

11/16



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 13, 2012

1 full-time equivalent positions:
2 \$ 1,539,050
3 2,923,838
4 FTEs 44.22
5 40.72
6 Sec. 22. 2011 Iowa Acts, chapter 127, section 79,
7 is amended to read as follows:
8 SEC. 79. ROAD USE TAX FUND APPROPRIATION —
9 DEPARTMENT OF INSPECTIONS AND APPEALS. There is
10 appropriated from the road use tax fund created in
11 section 312.1 to the administrative hearings division
12 of the department of inspections and appeals for the
13 fiscal year beginning July 1, 2012, and ending June 30,
14 2013, the following amount, or so much thereof as is
15 necessary, for the purposes designated:
16 For salaries, support, maintenance, and
17 miscellaneous purposes:
18 \$ 811,949
19 1,623,897
20 Sec. 23. 2011 Iowa Acts, chapter 127, section 80,
21 is amended to read as follows:
22 SEC. 80. DEPARTMENT OF MANAGEMENT.
23 1. There is appropriated from the general fund
24 of the state to the department of management for the
25 fiscal year beginning July 1, 2012, and ending June 30,
26 2013, the following amounts, or so much thereof as is
27 necessary, to be used for the purposes designated:
28 For salaries, support, maintenance, and
29 miscellaneous purposes, and for not more than the
30 following full-time equivalent positions:
31 \$ 1,196,999
32 2,323,370
33 FTEs 25.00
34 20.00
35 2. Of the moneys appropriated in this section, the
36 department shall use a portion for enterprise resource
37 planning, providing for a salary model administrator,
38 conducting performance audits, and for the department's
39 LEAN process.
40 Sec. 24. 2011 Iowa Acts, chapter 127, section 81,
41 is amended to read as follows:
42 SEC. 81. ROAD USE TAX APPROPRIATION — DEPARTMENT
43 OF MANAGEMENT. There is appropriated from the road use
44 tax fund created in section 312.1 to the department
45 of management for the fiscal year beginning July 1,
46 2012, and ending June 30, 2013, the following amount,
47 or so much thereof as is necessary, to be used for the
48 purposes designated:
49 For salaries, support, maintenance, and
50 miscellaneous purposes:

SF2313.4978 (1) 84

-12-

ec/tm

12/16



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 13, 2012

1 \$ 28,000
2 56,000
3 Sec. 25. 2011 Iowa Acts, chapter 127, section 82,
4 is amended to read as follows:
5 SEC. 82. DEPARTMENT OF REVENUE.
6 1. There is appropriated from the general fund
7 of the state to the department of revenue for the
8 fiscal year beginning July 1, 2012, and ending June 30,
9 2013, the following amounts, or so much thereof as is
10 necessary, to be used for the purposes designated:
11 For salaries, support, maintenance, and
12 miscellaneous purposes, and for not more than the
13 following full-time equivalent positions:
14 \$ 8,829,742
15 17,138,488
16 FTEs 303.48
17 245.46
18 2. Of the funds appropriated pursuant to this
19 section, \$400,000 shall be used to pay the direct
20 costs of compliance related to the collection and
21 distribution of local sales and services taxes imposed
22 pursuant to chapters 423B and 423E.
23 3. The director of revenue shall prepare and issue
24 a state appraisal manual and the revisions to the
25 state appraisal manual as provided in section 421.17,
26 subsection 17, without cost to a city or county.
27 Sec. 26. 2011 Iowa Acts, chapter 127, section 83,
28 is amended to read as follows:
29 SEC. 83. MOTOR VEHICLE FUEL TAX
30 APPROPRIATION. There is appropriated from the motor
31 fuel tax fund created by section 452A.77 to the
32 department of revenue for the fiscal year beginning
33 July 1, 2012, and ending June 30, 2013, the following
34 amount, or so much thereof as is necessary, to be used
35 for the purposes designated:
36 For salaries, support, maintenance, miscellaneous
37 purposes, and for administration and enforcement of the
38 provisions of chapter 452A and the motor vehicle use
39 tax program:
40 \$ 652,888
41 1,305,775
42 Sec. 27. 2011 Iowa Acts, chapter 127, section 84,
43 is amended to read as follows:
44 SEC. 84. SECRETARY OF STATE.
45 1. There is appropriated from the general fund of
46 the state to the office of the secretary of state for
47 the fiscal year beginning July 1, 2012, and ending June
48 30, 2013, the following amounts, or so much thereof as
49 is necessary, to be used for the purposes designated:
50 For salaries, support, maintenance, and

SF2313.4978 (1) 84

-13-

ec/tm

13/16



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 13, 2012

1 miscellaneous purposes, and for not more than the
2 following full-time equivalent positions:
3 \$ 1,447,793
4 2,810,159
5 FTEs 45.00
6 34.00
7 2. The state department or state agency which
8 provides data processing services to support voter
9 registration file maintenance and storage shall provide
10 those services without charge.
11 Sec. 28. 2011 Iowa Acts, chapter 127, section 86,
12 is amended to read as follows:
13 SEC. 86. TREASURER.
14 1. There is appropriated from the general fund of
15 the state to the office of treasurer of state for the
16 fiscal year beginning July 1, 2012, and ending June 30,
17 2013, the following amount, or so much thereof as is
18 necessary, to be used for the purposes designated:
19 For salaries, support, maintenance, and
20 miscellaneous purposes, and for not more than the
21 following full-time equivalent positions:
22 \$ 427,145
23 829,086
24 FTEs 28.80
25 2. The office of treasurer of state shall supply
26 clerical and secretarial support for the executive
27 council.
28 Sec. 29. 2011 Iowa Acts, chapter 127, section 87,
29 is amended to read as follows:
30 SEC. 87. ROAD USE TAX APPROPRIATION — OFFICE
31 OF TREASURER OF STATE. There is appropriated from
32 the road use tax fund created in section 312.1 to
33 the office of treasurer of state for the fiscal year
34 beginning July 1, 2012, and ending June 30, 2013, the
35 following amount, or so much thereof as is necessary,
36 to be used for the purposes designated:
37 For enterprise resource management costs related to
38 the distribution of road use tax funds:
39 \$ 46,574
40 93,148
41 Sec. 30. 2011 Iowa Acts, chapter 127, section 88,
42 is amended to read as follows:
43 SEC. 88. IPERS — GENERAL OFFICE. There is
44 appropriated from the Iowa public employees' retirement
45 system fund to the Iowa public employees' retirement
46 system for the fiscal year beginning July 1, 2012, and
47 ending June 30, 2013, the following amount, or so much
48 thereof as is necessary, to be used for the purposes
49 designated:
50 For salaries, support, maintenance, and other

SF2313.4978 (1) 84

-14-

ec/tm

14/16



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 13, 2012

1 operational purposes to pay the costs of the Iowa
2 public employees' retirement system, and for not more
3 than the following full-time equivalent positions:
4 \$ ~~8,843,484~~
5 17,686,968
6 FTEs 90.13
7 Sec. 31. 2011 Iowa Acts, chapter 129, section 149,
8 is amended to read as follows:
9 SEC. 149. MEDICAID FRAUD ACCOUNT — DEPARTMENT OF
10 INSPECTIONS AND APPEALS. There is appropriated from
11 the Medicaid fraud account created in section 249A.7
12 to the department of inspections and appeals for the
13 fiscal year beginning July 1, 2012, and ending June 30,
14 2013, the following amount, or so much thereof as is
15 necessary, to be used for the purposes designated:
16 For the inspection and certification of assisted
17 living programs and adult day care services, including
18 program administration and costs associated with
19 implementation:
20 \$ ~~669,764~~
21 1,339,527
22 Sec. _____. Section 249A.7, subsection 3, paragraph
23 b, Code Supplement 2011, is amended to read as follows:
24 b. Notwithstanding section 8.33, moneys credited
25 to the fund from any other account or fund shall not
26 revert to the other account or fund. Moneys in the
27 fund shall ~~only be used as provided in appropriations~~
28 ~~from the fund and shall be used in accordance with~~
29 ~~applicable laws, regulations, and the policies of~~
30 ~~the office of inspector general of the United States~~
31 ~~department of health and human services transferred to~~
32 the health care trust fund created in section 453A.35A.
33 Sec. _____. Section 453A.35A, subsection 1, Code
34 Supplement 2011, is amended to read as follows:
35 1. A health care trust fund is created in the
36 office of the treasurer of state. The fund consists
37 of the revenues generated from the tax on cigarettes
38 pursuant to section 453A.6, subsection 1, and from
39 the tax on tobacco products as specified in section
40 453A.43, subsections 1, 2, 3, and 4, that are credited
41 to the health care trust fund, annually, pursuant to
42 section 453A.35. The fund shall also consist of moneys
43 transferred from the Medicaid fraud fund created in
44 section 249A.7. Moneys in the fund shall be separate
45 from the general fund of the state and shall not be
46 considered part of the general fund of the state.
47 However, the fund shall be considered a special account
48 for the purposes of section 8.53 relating to generally
49 accepted accounting principles. Moneys in the fund
50 shall be used only as specified in this section and

SF2313.4978 (1) 84

-15-

ec/tm

15/16



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 13, 2012

1 shall be appropriated only for the uses specified.
2 Moneys in the fund are not subject to section 8.33
3 and shall not be transferred, used, obligated,
4 appropriated, or otherwise encumbered, except as
5 provided in this section. Notwithstanding section
6 12C.7, subsection 2, interest or earnings on moneys
7 deposited in the fund shall be credited to the fund.
8 Sec. 34. EFFECTIVE UPON ENACTMENT. The following
9 provision or provisions of this Act, being deemed of
10 immediate importance, take effect upon enactment:
11 1. The section of this Act amending 2011 Iowa Acts,
12 chapter 127, section 9, subsection 2, paragraph "c".
13 Sec. _____. EFFECTIVE DATE. The following provision
14 or provisions of this Act take effect July 1, 2013:
15 1. The section of this Act amending section 249A.7.
16 2. The section of this Act amending section
17 453A.35A.
18 Sec. 35. RETROACTIVE APPLICABILITY. The following
19 provision or provisions of this Act apply retroactively
20 to July 1, 2011:
21 1. The section of this Act amending 2011 Iowa Acts,
22 chapter 127, section 9, subsection 2, paragraph "c".>
23 2. Title page, line 3, after <atters> by inserting
24 <and including effective date and retroactive
25 applicability provisions>
26 3. By renumbering, redesignating, and correcting
27 internal references as necessary.

COMMITTEE ON APPROPRIATIONS
RAECKER of Polk, Chairperson



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 13, 2012

House File 2433

H-8224

- 1 Amend the amendment, H-8171, to House File 2433 as
2 follows:
3 1. Page 1, by striking lines 2 and 3 and inserting:
4 <___. Page 1, by striking lines 22 and 23 and
5 inserting <shall follow Robert's rules of order, in
6 governing the conduct of agency meetings unless it is
7 inconsistent with Iowa law.>>
8 2. Page 1, by striking lines 17 through 25 and
9 inserting:
10 <(2) The agency shall provide an opportunity
11 to make these oral presentations using the Iowa
12 communications network or other electronic means if a
13 request is received from twenty-five interested persons
14 residing in the same city or county.>
15 3. Page 2, after line 16 by inserting:
16 <___. Page 1, line 30, after <committee> by
17 inserting <if the committee finds good cause that
18 notice and public participation would be unnecessary,
19 impracticable, or contrary to the public interest,>>
20 4. Page 4, after line 11 by inserting:
21 <Sec. ___. Section 99G.24, subsection 7, paragraph
22 a, Code 2011, is amended to read as follows:
23 a. Has been convicted of a ~~criminal offense~~ felony,
24 an aggravated misdemeanor, or public offense related
25 to the security or integrity of the lottery in this or
26 any other jurisdiction.>>
27 5. Page 4, by striking line 12.
28 6. By renumbering as necessary.

PETTENGILL of Benton

H8171.5024 (4) 84

-1-

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1/1



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 13, 2012

House File 2433

H-8225

- 1 Amend the amendment, H-8171, to House File 2433 as
- 2 follows:
- 3 1. Page 3, by striking lines 26 through 39.
- 4 2. Page 4, by striking lines 13 through 28.
- 5 3. By renumbering as necessary.

ISENHART of Dubuque



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 13, 2012

House File 2429

H-8226

1 Amend the amendment, H-8184, to House File 2429 as
2 follows:

3 1. Page 1, by striking lines 15 through 18 and
4 inserting <mail signature, electronic identifier
5 or screen name, biometric identifier, genetic
6 identification information, access device, logo,
7 symbol, trademark, place of employment, employee
8 identification number,>

BALTIMORE of Boone



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 13, 2012

House File 2422

H-8227

1 Amend House File 2422 as follows:
2 1. Page 2, line 13, after <administrator> by
3 inserting <or owner>
4 2. Page 2, line 22, by striking <or immediately
5 upon>
6 3. Page 2, by striking line 32 and inserting
7 <in accordance with the federal Health Insurance
8 Portability and Accountability Act of 1996, Pub. L. No.
9 104-191, other state and federal regulations, and rules
10 adopted by the department, to all of>
11 4. Page 3, line 24, by striking <residents or
12 tenants> and inserting <residents, tenants, and staff
13 of the facility or program>
14 5. Page 4, after line 1 by inserting:
15 <6. The department shall work with interested
16 stakeholders in developing the proposed rules under
17 this section.>
18 6. Page 4, line 2, by striking <6.> and inserting
19 <7.>
20 7. Page 4, line 34, by striking <admit> and
21 inserting <enter into a lease or occupancy agreement
22 with>
23 8. Page 5, line 1, by striking <administrator> and
24 inserting <manager or owner>
25 9. Page 5, after line 13 by inserting:
26 <Sec. ____ . PLACEMENT OF PERSONS REQUIRED TO
27 REGISTER.
28 1. For purposes of this section, "adequate
29 placement" means a placement that will provide the
30 level of care necessary for a person including the
31 level of care provided by a nursing facility or
32 residential care facility.
33 2. For the period beginning July 1, 2012, through
34 June 30, 2013, the department of human services, in
35 compliance with federal and state law, shall secure
36 adequate placements for persons required to register
37 as a sex offender pursuant to chapter 692A who are
38 being released from the custody of the department
39 of corrections and require the type of medical
40 and personal care provided by a nursing facility,
41 residential care facility, or assisted living program;
42 who are being discharged or transferred from nursing
43 facilities, residential care facilities, or assisted
44 living programs pursuant to a provision of this Act;
45 or who require the type of medical and personal care
46 provided by nursing facilities, residential care
47 facilities, or assisted living programs when the
48 persons are unable to gain access to a facility or
49 program because the persons are required to register on
50 the sex offender registry.

HF2422.5001 (3) 84

-1-

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1/2



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 13, 2012

1 3. The department of human services may use a
2 state facility to provide care for such persons or may
3 conduct a request for proposal process to contract with
4 a private facility to care for such persons. A request
5 for proposals shall identify the reimbursement rate
6 and the necessary training for staff in the facility
7 or program.
8 4. The department of human services shall secure
9 an adequate placement for such a person within ten
10 business days of being notified by the department of
11 corrections, the department of inspections and appeals,
12 or a nursing facility, residential care facility,
13 or assisted living program that placement is needed
14 for such person, provided that such period shall not
15 commence until the department of public safety receives
16 and approves registration data and makes such data
17 available on the sex offender registry internet site
18 pursuant to section 692A.121, subsection 12.>
19 10. Page 7, line 13, after <aide,> by inserting
20 <the office of the state long-term care ombudsman,>
21 11. Page 7, by striking line 16 and inserting:
22 <c. Representatives of the health care industry and
23 industry associations.>
24 12. Page 7, after line 20 by inserting:
25 <h. Other stakeholders as the department of
26 inspections and appeals deems necessary.>
27 13. Page 7, line 21, by striking <h.> and inserting
28 <i.>
29 14. Page 8, line 9, after <recommendations,> by
30 inserting <regulatory challenges,>
31 15. Page 8, line 26, after <offenses.> by inserting
32 <The treatment safety plan shall address the procedure
33 for notifying other residents of the residency of a
34 person required to register as a sex offender.>
35 16. Page 8, by striking lines 32 through 34 and
36 inserting <placement for a person requiring commitment
37 when the person also has a history of committing sexual
38 offenses.>
39 17. Title page, line 1, after <notification> by
40 inserting <in a nursing facility, residential care
41 facility, or assisted living program>

FRY of Clarke

HF2422.5001 (3) 84

-2-

ad/rj

2/2



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 13, 2012

House File 2371

H-8228

- 1 Amend House File 2371 as follows:
2 1. Page 1, line 35, by striking ~~<commissioner or~~
3 ~~other>~~ and inserting <commissioner or other>
4 2. Page 2, line 1, after <training> by inserting <,
5 provided that a commissioner shall be responsible for
6 all costs associated with the commissioner's attendance
7 and completion of such certification training course>
8 3. Page 2, line 2, by striking ~~<commissioner,>~~ and
9 inserting <commissioner,>
10 4. Page 2, line 5, by striking ~~<commissioner,>~~ and
11 inserting <commissioner,>

HAGER of Allamakee



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 13, 2012

House File 2380

H-8229

1 Amend the amendment, H-8179, to House File 2380 as
2 follows:
3 1. By striking page 1, line 2, through page 3, line
4 25, and inserting:
5 <____. Page 12, after line 1 by inserting:
6 <Sec. _____. NEW SECTION. 256.27 Iowa learning
7 online initiative.
8 1. An Iowa learning online initiative is
9 established within the department of education to
10 partner with school districts and accredited nonpublic
11 schools to provide distance education to high school
12 students statewide. The department shall utilize
13 a variety of content repositories, including those
14 maintained by the area education agencies and the
15 public broadcasting division, in administering the
16 initiative.
17 2. Coursework offered under the initiative shall
18 meet the requirements of section 256.7, subsections
19 7, 8, and 9, and shall be taught by an appropriately
20 licensed teacher who has completed an online-learning
21 -for-Iowa-educators-professional-development project
22 offered by area education agencies, a teacher
23 preservice program, or comparable coursework.
24 3. Under the initiative, students must be enrolled
25 in a participating school district or school, which
26 is responsible for recording grades received for
27 initiative coursework in a student's permanent record,
28 awarding high school credit for initiative coursework,
29 and issuing high school diplomas to students enrolled
30 in the district or school who participate and complete
31 coursework under the initiative. Each participating
32 school district or school shall identify a site
33 coordinator to serve as a student advocate and as a
34 liaison between the initiative staff and teachers and
35 the school district or school.
36 4. Coursework offered under the initiative shall
37 be rigorous and high quality, and the department
38 shall annually evaluate the quality of the courses,
39 ensure that coursework is aligned with the state's
40 core curriculum and core content requirements and
41 standards, as well as national standards of quality for
42 online courses issued by an internationally recognized
43 association for kindergarten through grade twelve
44 online learning.
45 5. The department may waive any requirement that a
46 subject being studied under the initiative by a student
47 enrolled in a school district or school participating
48 in the initiative be a subject that is offered and
49 taught by the professional staff of the participating
50 school district or school.>>

H8179.5037 (1) 84

-1-

kh/rj

1/2



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 13, 2012

1 2. By renumbering as necessary.

J. TAYLOR of Woodbury



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 13, 2012

House File 2380

H-8230

1 Amend the amendment, H-8214, to House File 2380 as
2 follows:

3 1. By striking page 1, line 2, through page 2, line
4 50, and inserting:

5 < _____. By striking page 45, line 26, through page
6 54, line 11, and inserting:

7 <DIVISION ____
8 EARLY LITERACY

9 Sec. _____. Section 256.7, Code Supplement 2011, is
10 amended by adding the following new subsection:

11 NEW SUBSECTION. 33. By July 1, 2013, adopt by
12 rule guidelines for school district implementation of
13 section 279.68, including but not limited to basic
14 levels of reading proficiency on approved assessments
15 and identification of tools that school districts may
16 use in evaluating and reevaluating any student who may
17 be or who is determined to be deficient in reading,
18 including but not limited to initial assessments and
19 subsequent assessments, alternative assessments,
20 and portfolio reviews. The state board shall adopt
21 standards that provide a reasonable expectation that
22 a student's progress toward reading proficiency under
23 section 279.68 is sufficient to master appropriate
24 grade four level reading skills prior to the student's
25 promotion to grade four.

26 Sec. _____. Section 256.9, subsection 53, paragraph
27 a, Code Supplement 2011, is amended to read as follows:

28 a. Develop and distribute, or approve, in
29 collaboration with the area education agencies, core
30 curriculum technical assistance and implementation
31 strategies that school districts and accredited
32 nonpublic schools shall utilize, including but not
33 limited to the development and delivery of formative
34 and end-of-course model assessments classroom
35 teachers may use to measure student progress on the
36 core curriculum adopted pursuant to section 256.7,
37 subsection 26. The department shall, in collaboration
38 with the advisory group convened in accordance with
39 paragraph "b" and educational assessment providers,
40 identify and make available to school districts
41 end-of-course and additional model end-of-course and
42 additional assessments to align with the expectations
43 included in the Iowa core curriculum. The model
44 assessments shall be suitable to meet the multiple
45 assessment measures requirement specified in section
46 256.7, subsection 21, paragraph "c".

47 Sec. _____. Section 256.9, subsection 53, Code
48 Supplement 2011, is amended by adding the following new
49 paragraphs:

50 NEW PARAGRAPH. c. Identify the scoring levels on

H8214.5045 (2) 84

-1-

kh/rj

1/5



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 13, 2012

1 approved grade three reading assessments that provide
2 guidance to a school district for determining the
3 progress of a student pursuant to section 279.68, and
4 develop or identify and approve alternative performance
5 measures for students who are not proficient in
6 reading. Alternative performance measures approved
7 pursuant to this paragraph shall include but not be
8 limited to a demonstration of reading mastery evidenced
9 by portfolios of student work.

10 NEW PARAGRAPH. *d.* Establish, subject to an
11 appropriation of sufficient funds by the general
12 assembly, an Iowa reading research center to apply
13 current research on literacy to provide for the
14 development and dissemination of all of the following:
15 (1) Promising instructional strategies in reading.
16 (2) Reading assessments.
17 (3) Professional development strategies and
18 materials aligned with current and emerging best
19 practices for the teaching of reading.

20 Sec. _____. NEW SECTION. 256.25 Iowa family literacy
21 initiative.

22 1. An Iowa family literacy initiative shall
23 be established and administered by the department
24 to provide block grants to eligible entities that
25 integrate early childhood education, adult literacy,
26 parenting education, and interactive parent and
27 child literacy activities. If funds are appropriated
28 by the general assembly for the program, the state
29 board shall adopt rules for the administration of
30 the program, which shall be modeled on the federal
31 even start family literacy program enacted pursuant
32 to 20 U.S.C. §6381-6381k. For purposes of this
33 section, "*eligible entity*" means one or more school
34 districts that enter into a partnership with one or
35 more nonprofit community-based organizations, a public
36 agency other than a school district, a community
37 college, institution of higher education governed
38 by the state board of regents, an accredited private
39 institution as defined in section 261.9, or a public or
40 private nonprofit organization of demonstrated quality
41 as determined by the department.

42 2. The department, in consultation with the
43 child development coordinating council and the
44 early childhood Iowa state board, shall develop an
45 application process; establish grant application
46 selection criteria and priorities; and develop
47 indicators of program quality which shall be used by
48 the department to monitor, evaluate, and improve local
49 family literacy projects operated by grantees. The
50 department shall develop project standards for all

H8214.5045 (2) 84

-2-

kh/rj

2/5



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 13, 2012

1 of the project elements established pursuant to this
2 subsection. A local family literacy project awarded a
3 block grant pursuant to this section shall include but
4 not be limited to all of the following elements:
5 *a.* Identification and recruitment of families most
6 in need of family literacy services.
7 *b.* High-quality, intensive instructional services.
8 *c.* Staff qualifications that meet department
9 standards.
10 *d.* Year-round services.
11 *e.* Coordination with other programs.
12 *f.* Local independent evaluation, the results of
13 which shall be used for program improvement and to
14 determine whether the project is meeting expectations
15 using the indicators of program quality developed by
16 the department.
17 Sec. _____. Section 256C.3, subsection 3, Code 2011,
18 is amended by adding the following new paragraph:
19 NEW PARAGRAPH. *i.* Provision for reimbursement of
20 reasonable administrative costs for persons providing
21 contract services for a local program. If justified
22 by the expenses involved, the administrative costs may
23 exceed eight percent of the direct costs attributed to
24 the contract services.
25 Sec. _____. NEW SECTION. 279.68 Student progression
26 — remedial instruction — reporting requirements.
27 1. *Reading deficiency and parental notification.*
28 *a.* A school district shall provide intensive
29 reading instruction to any student who exhibits a
30 substantial deficiency in reading, based upon locally
31 determined or statewide assessments conducted in
32 kindergarten or grade one, grade two, or grade three,
33 or through teacher observations, immediately following
34 the identification of the reading deficiency. The
35 student's reading proficiency shall be reassessed by
36 locally determined and statewide assessments. The
37 student shall continue to be provided with intensive
38 reading instruction until the reading deficiency is
39 remedied.
40 *b.* The parent or guardian of any student in
41 kindergarten through grade three who exhibits a
42 substantial deficiency in reading, as described in
43 paragraph "a", shall be notified at least annually in
44 writing of the following:
45 (1) That the child has been identified as having a
46 substantial deficiency in reading.
47 (2) A description of the services currently
48 provided to the child.
49 (3) A description of the proposed supplemental
50 instructional services and supports that the school

H8214.5045 (2) 84

-3-

kh/rj

3/5



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 13, 2012

1 district will provide to the child that are designed to
2 remediate the identified area of reading deficiency.
3 (4) Strategies for parents and guardians to use
4 in helping the child succeed in reading proficiency,
5 including but not limited to the promotion of
6 parent-guided home reading.
7 (5) That the assessment used pursuant to section
8 256.9, subsection 53, is not the sole determiner of
9 promotion and that additional evaluations, portfolio
10 reviews, performance measures, and assessments are
11 available to the child to assist parents and the school
12 district in knowing when a child is reading at or above
13 grade level and ready for grade promotion.
14 2. *Intensive instructional services.* A
15 school district shall do all of the following:
16 a. Provide for the completion of a student
17 portfolio for any student who exhibits a substantial
18 deficiency in reading.
19 b. Provide students who exhibit a substantial
20 deficiency in reading with intensive instructional
21 services and supports, free of charge, to remediate
22 the identified areas of reading deficiency,
23 including a minimum of a daily ninety-minute block of
24 scientific-research-based reading instruction and other
25 strategies prescribed by the school district which may
26 include but are not limited to the following:
27 (1) Small group instruction.
28 (2) Reduced teacher-student ratios.
29 (3) More frequent progress monitoring.
30 (4) Tutoring or mentoring.
31 (5) Transition classes containing students in
32 grades three and four.
33 (6) Extended school day, week, or year.
34 (7) Summer reading programs.
35 c. At regular intervals, apprise the parent or
36 guardian of academic and other progress being made
37 by the student and give the parent or guardian other
38 useful information.
39 d. Establish a reading enhancement and acceleration
40 development initiative designed to offer intensive
41 accelerated reading instruction to each kindergarten
42 through grade three student who is assessed as
43 exhibiting a reading deficiency. The initiative shall
44 comply with all of the following criteria:
45 (1) Provide assessments that measure phonemic
46 awareness, phonics, fluency, vocabulary, and
47 comprehension.
48 (2) Be provided during regular school hours in
49 addition to the regular reading instruction.
50 (3) Provide a reading curriculum that meets

H8214.5045 (2) 84

-4-

kh/rj

4/5



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 13, 2012

1 guidelines adopted pursuant to section 256.7,
2 subsection 33, and at a minimum has the following
3 specifications:
4 (a) Assists students assessed as exhibiting a
5 reading deficiency in developing the ability to read
6 at grade level.
7 (b) Provides skill development in phonemic
8 awareness, phonics, fluency, vocabulary, and
9 comprehension.
10 (c) Includes a scientifically based and reliable
11 assessment.
12 (d) Provides initial and ongoing analysis of each
13 student's reading progress.
14 (e) Provides a curriculum in core academic subjects
15 to assist the student in maintaining or meeting
16 proficiency levels for the appropriate grade in all
17 academic subjects.
18 e. Report to the department of education the
19 specific intensive reading interventions and supports
20 implemented by the school district pursuant to this
21 section. The department shall annually prescribe the
22 components of required or requested reports, including
23 but not limited to a report on the number of students
24 retained under this section.>>
25 2. By renumbering as necessary.

WINCKLER of Scott



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 13, 2012

Senate File 2314

H-8231

Amend Senate File 2314, as amended, passed, and
reprinted by the Senate, as follows:

- 3 1. Page 2, line 31, by striking <550,000> and
4 inserting <550,000 350,000>
- 5 2. Page 4, line 29, by striking <242,000> and
6 inserting <80,667>
- 7 3. By renumbering as necessary.

MOORE of Jackson



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 13, 2012

House File 2380

H-8232

1 Amend the amendment, H-8201, to House File 2380 as
2 follows:
3 1. By striking page 1, line 2, through page 4, line
4 15, and inserting:
5 <____. Page 12, after line 1 by inserting:
6 <Sec. _____. NEW SECTION. 256.27 Iowa learning
7 online initiative.
8 1. An Iowa learning online initiative is
9 established within the department of education to
10 partner with school districts and accredited nonpublic
11 schools to provide distance education to high school
12 students statewide. The department shall utilize
13 a variety of content repositories, including those
14 maintained by the area education agencies and the
15 public broadcasting division, in administering the
16 initiative.
17 2. Coursework offered under the initiative shall
18 meet the requirements of section 256.7, subsections
19 7, 8, and 9, and shall be taught by an appropriately
20 licensed teacher who has completed an online-learning
21 -for-Iowa-educators-professional-development project
22 offered by area education agencies, a teacher
23 preservice program, or comparable coursework.
24 3. Under the initiative, students must be enrolled
25 in a participating school district or school, which
26 is responsible for recording grades received for
27 initiative coursework in a student's permanent record,
28 awarding high school credit for initiative coursework,
29 and issuing high school diplomas to students enrolled
30 in the district or school who participate and complete
31 coursework under the initiative. Each participating
32 school district or school shall identify a site
33 coordinator to serve as a student advocate and as a
34 liaison between the initiative staff and teachers and
35 the school district or school.
36 4. Coursework offered under the initiative shall
37 be rigorous and high quality, and the department
38 shall annually evaluate the quality of the courses,
39 ensure that coursework is aligned with the state's
40 core curriculum and core content requirements and
41 standards, as well as national standards of quality for
42 online courses issued by an internationally recognized
43 association for kindergarten through grade twelve
44 online learning.
45 5. The department may waive any requirement that a
46 subject being studied under the initiative by a student
47 enrolled in a school district or school participating
48 in the initiative be a subject that is offered and
49 taught by the professional staff of the participating
50 school district or school.>>

H8201.5060 (2) 84

-1-

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1/2



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 13, 2012

1 2. By renumbering as necessary.

MASCHER of Johnson

WINCKLER of Scott



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 13, 2012

House File 2214

H-8233

1 Amend House File 2214 as follows:

2 1. Page 1, line 2, by striking <prohibited> and
3 inserting <— approval by city or county electorate>

4 2. Page 1, line 8, by striking <ordinance.> and
5 inserting <ordinance, except as provided in this
6 section.>

7 3. Page 1, after line 8 by inserting:

8 <2. a. A city or county may employ the use of
9 automated traffic law enforcement systems only if the
10 city or county electorate approves the use of automated
11 traffic law enforcement systems as provided in this
12 subsection.

13 b. A city or county that proposes to use automated
14 traffic law enforcement systems shall adopt a
15 resolution containing the proposal. The board of
16 supervisors or the city council shall call a special
17 election to vote upon the proposal before the county
18 or city begins installing or using automated traffic
19 law enforcement systems. The board of supervisors or
20 the city council shall publish notice of the proposal
21 at least once, not less than four nor more than twenty
22 days before the date of the election, in one or more
23 newspapers which meet the requirements of section
24 618.14. Notice of the election shall also comply with
25 section 49.53. The election shall be held on a date
26 specified in section 39.2, subsection 4, paragraph "a".
27 The proposal is approved if the vote in favor of the
28 proposal is equal to at least a majority of the total
29 vote cast for and against the proposal at the election.
30 If the proposal is approved by the voters, the board of
31 supervisors or city council may proceed to install and
32 use automated traffic law enforcement systems.>

33 4. Page 1, line 9, by striking <2.> and inserting
34 <3.>

35 5. Page 1, by striking lines 18 through 32 and
36 inserting:

37 <Sec. _____. EXISTING AUTOMATED TRAFFIC LAW
38 ENFORCEMENT SYSTEMS — SUSPENSION OF USE — VALIDITY OF
39 PRIOR NOTICES AND CITATIONS. A county or city that is
40 using an automated traffic law enforcement system prior
41 to the effective date of this Act shall discontinue
42 using the system until a proposal for the use of
43 automated traffic law enforcement systems is adopted by
44 resolution and approved by an election as provided in
45 section 321.5A, subsection 2, paragraph "b", as enacted
46 by this Act. However, notices of violations mailed or
47 citations issued pursuant to an ordinance prior to the
48 effective date of this Act shall be processed according
49 to the provisions of the law under which they were
50 authorized.>

HF2214.5041 (1) 84

-1-

dea/nh

1/2



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 13, 2012

- 1 6. Title page, line 1, by striking <prohibiting>
- 2 and inserting <providing for>
- 3 7. By renumbering as necessary.

SCHULTE of Linn



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 13, 2012

House File 2214

H-8234

1 Amend House File 2214 as follows:

2 1. By striking everything after the enacting clause
3 and inserting:

4 <Section 1. Section 321.1, Code Supplement 2011, is
5 amended by adding the following new subsection:

6 NEW SUBSECTION. 95. "*Automated traffic law*
7 *enforcement system*" means a device with one or more
8 sensors working in conjunction with at least one of the
9 following:

10 a. An official traffic-control signal, to
11 produce recorded images of motor vehicles entering
12 an intersection against a flashing red light, steady
13 circular red light, or a steady red arrow.

14 b. An official traffic-control signal at a railroad
15 grade crossing, as described in section 321.342,
16 to produce recorded images of vehicles violating a
17 flashing red or steady circular red light.

18 c. A speed measuring device, to produce recorded
19 images of motor vehicles travelling at a prohibited
20 rate of speed.

21 Sec. 2. NEW SECTION. 321.5A Automated traffic law
22 enforcement systems.

23 A local authority shall not use an automated traffic
24 law enforcement system except as provided in this
25 section.

26 1. A local authority may by ordinance authorize the
27 use of automated traffic law enforcement systems to
28 detect violations of posted speed limits or official
29 traffic-control signals which constitute municipal or
30 county infractions.

31 2. A local authority shall provide signage, in
32 conformance with the uniform system adopted pursuant
33 to section 321.252, giving notice of the use of
34 an automated traffic law enforcement system on the
35 approach to each location where an automated traffic
36 law enforcement system is in use as follows:

37 a. A sign shall be posted on each road on the
38 approach to the next traffic-control signal where an
39 automated traffic law enforcement system is in use.

40 b. A sign shall be posted on the approach to the
41 next speed limit zone on a road where an automated
42 traffic law enforcement system is being used for speed
43 limit enforcement.

44 c. A temporary sign shall be positioned or posted
45 on the approach to each location where a mobile
46 automated traffic law enforcement system is being used
47 for speed limit enforcement.

48 d. A temporary or permanent sign giving notice of
49 the use of an automated traffic law enforcement system
50 for the enforcement of speed limits shall be positioned

HF2214.3845 (1) 84

-1-

dea/nh

1/3



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 13, 2012

1 or posted at a distance in advance of the automated
2 traffic law enforcement system which, in relation to
3 the applicable speed limit, would provide adequate
4 notice to a motor vehicle operator travelling at the
5 speed limit before entering the range of the automated
6 traffic law enforcement system.
7 3. Recorded images produced by an automated traffic
8 law enforcement system evidencing a violation of a
9 posted speed limit or an official traffic-control
10 signal shall be reviewed by a peace officer of the
11 local law enforcement agency to affirm that a violation
12 occurred and the identity of the motor vehicle involved
13 in the violation. If following the officer's review,
14 a notice of a fine or citation is issued to the owner
15 of the motor vehicle involved in the violation, the
16 following requirements apply:
17 a. An affidavit bearing the written or electronic
18 signature of the peace officer shall be included on the
19 notice or citation.
20 b. The notice or citation shall contain a
21 statement, in bold type, regarding the process for
22 appealing the fine.
23 c. The notice or citation shall be sent by ordinary
24 mail to the owner of the motor vehicle involved not
25 more than thirty days following the incident giving
26 rise to the notice of a fine or citation, as evidenced
27 by the postmark.
28 4. A local authority shall not charge the owner of
29 a motor vehicle administrative costs in addition to
30 any civil penalty imposed for a violation detected by
31 an automated traffic law enforcement system. Civil
32 penalties imposed for such violations shall not exceed
33 the following amounts:
34 a. For a violation of an official traffic-control
35 signal, fifty dollars.
36 b. For a violation of a speed limit, the amount
37 of the fine established in section 805.8A for an
38 equivalent speeding violation charged as a scheduled
39 violation, subject to the limitation established in
40 section 331.302, subsection 2, for violation of a
41 county ordinance, or the limitation established in
42 section 364.3, subsection 2, for violation of a city
43 ordinance.
44 5. The owner of a motor vehicle shall not be liable
45 for a violation detected by an automated traffic
46 law enforcement system if a uniform traffic citation
47 was issued to the operator of the motor vehicle in
48 connection with the same violation.
49 6. A local authority that uses an automated traffic
50 law enforcement system shall file annually with the

HF2214.3845 (1) 84

-2-

dea/nh

2/3



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 13, 2012

1 department of public safety a report comparing the type
2 and rate of accidents that occurred at each location
3 where an automated traffic law enforcement system was
4 employed during the previous year to the type and rate
5 of accidents at the same location during the previous
6 consecutive year. The report shall be kept on file and
7 used by the governing body of the local authority in
8 evaluating the effectiveness of the automated traffic
9 law enforcement program in improving public safety.
10 Sec. 3. EXISTING AUTOMATED TRAFFIC LAW
11 ENFORCEMENT SYSTEMS — VALIDITY OF PRIOR NOTICES AND
12 CITATIONS. Notices mailed or citations issued of
13 violations committed prior to the effective date of
14 this Act, pursuant to a local ordinance authorizing the
15 use of an automated traffic law enforcement system,
16 shall not be invalidated by the enactment of this Act
17 and shall be processed according to the provisions of
18 the law under which they were authorized.>
19 2. Title page, line 1, by striking <prohibiting>
20 and inserting <relating to>
21 3. Title page, by striking line 2 and inserting
22 <systems.>
23 4. By renumbering as necessary.

WENTHE of Fayette



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 13, 2012

House File 2214

H-8235

- 1 Amend House File 2214 as follows:
2 1. Page 1, after line 17 by inserting:
3 <3. Notwithstanding subsection 1, a local authority
4 that is using an automated traffic law enforcement
5 system prior to the effective date of this Act may
6 continue to use the system if the authority certifies
7 to the department of public safety that the use of
8 the automated traffic law enforcement system has
9 improved traffic safety at the location or locations
10 where it has been in use. The certification shall
11 be accompanied by documentation containing data to
12 support the claim of improved traffic safety. A local
13 authority that submits a certification under this
14 subsection may continue to use an automated traffic
15 law enforcement system that is covered under the
16 certification pursuant to the authorizing ordinance of
17 the local authority.>
18 2. Page 1, by striking lines 22 through 25 and
19 inserting <enforcement system shall discontinue
20 using the system and remove all automated traffic law
21 enforcement system equipment from the highways on or
22 before July 1, 2012, unless the local authority has
23 submitted certification to the department of public
24 safety pursuant to section 321.5A, subsection 3, as
25 enacted by this Act.>
26 3. Page 1, by striking line 26 and inserting:
27 <2. Except as provided in section 321.5A,
28 subsection 3, as enacted by this Act, on July 1, 2012,
29 all local>
30 4. Page 1, line 28, by striking <However, notices>
31 and inserting <Notices>
32 5. Page 1, line 29, by striking <such>
33 6. Title page, line 1, by striking <prohibiting>
34 and inserting <relating to>
35 7. By renumbering as necessary.

SCHULTE of Linn

HF2214.5040 (1) 84

-1-

dea/nh

1/1



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 13, 2012

House File 2214

H-8236

- 1 Amend House File 2214 as follows:
2 1. Page 1, line 2, by striking <prohibited>
3 2. Page 1, after line 8 by inserting:
4 <2. Notwithstanding subsection 1, a local
5 authority that has established an automated traffic law
6 enforcement program prior to the effective date of this
7 Act shall terminate the program at the earliest date
8 possible as follows:
9 a. If the local authority has entered into a
10 contract for equipment or services relating to
11 automated traffic law enforcement systems prior to
12 the effective date of this Act, the city may continue
13 to use an automated traffic law enforcement system
14 or systems to the extent necessary to hold the city
15 harmless under the terms of the existing contract. A
16 city that continues using an automated traffic law
17 enforcement system on or after the effective date of
18 this Act, as authorized under this paragraph, shall not
19 extend or renew a contract, or enter any new contract,
20 for automated traffic law enforcement system equipment
21 or services on or after the effective date of this Act.
22 b. Upon the expiration of all prior contracts for
23 the use of automated traffic law enforcement systems,
24 a local authority's ordinance authorizing the use of
25 automated traffic law enforcement systems is void.
26 However, notices of violations mailed or citations
27 issued pursuant to such an ordinance prior to the date
28 the ordinance becomes void shall not be invalidated
29 under this section and shall be processed according
30 to the provisions of the law under which they were
31 authorized.>
32 3. Page 1, line 9, by striking <2.> and inserting
33 <3.>
34 4. Page 1, by striking lines 18 through 32.
35 5. Title page, line 2, after <systems,> by
36 inserting <providing for temporary continuation of
37 existing automated traffic law enforcement programs,>
38 6. By renumbering as necessary.

SCHULTE of Linn

HF2214.5039 (2) 84

-1-

dea/nh

1/1



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 13, 2012

House File 2380

H-8237

- 1 Amend the amendment, H-8181, to House File 2380 as
2 follows:
3 1. Page 1, by striking lines 24 through 34.
4 2. Page 1, by striking lines 45 through 48 and
5 inserting <content area.>
6 3. Page 3, by striking lines 13 through 15.
7 4. By renumbering, redesignating, and correcting
8 internal references as necessary.

VANDER LINDEN of Mahaska



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 13, 2012

Senate File 2314

H-8238

- 1 Amend Senate File 2314, as amended, passed, and
- 2 reprinted by the Senate, as follows:
- 3 1. Page 1, line 31, by striking <228,000> and
- 4 inserting <182,400>
- 5 2. Page 4, line 5, by striking <1,404,000> and
- 6 inserting <1,123,200>
- 7 3. By renumbering as necessary.

WAGNER of Linn



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 13, 2012

House File 2214

H-8239

- 1 Amend House File 2214 as follows:
- 2 1. Page 1, after line 17 by inserting:
- 3 <3. Notwithstanding subsection 1, a local authority
- 4 that is using an automated traffic law enforcement
- 5 system prior to the effective date of this Act may
- 6 continue to use the system if the authority submits an
- 7 affidavit to the department of management on or before
- 8 June 30, 2012, certifying that discontinuing the use
- 9 of the automated traffic law enforcement system would
- 10 create a need for additional property taxes to support
- 11 operations and services of the local authority.>
- 12 2. Page 1, by striking lines 22 through 25 and
- 13 inserting <enforcement system shall discontinue
- 14 using the system and remove all automated traffic law
- 15 enforcement system equipment from the highways on or
- 16 before July 1, 2012, unless the local authority has
- 17 submitted an affidavit to the department of management
- 18 pursuant to section 321.5A, subsection 3, as enacted
- 19 by this Act.>
- 20 3. Page 1, by striking line 26 and inserting:
- 21 <2. Except as provided in section 321.5A,
- 22 subsection 3, as enacted by this Act, on July 1, 2012,
- 23 all local>
- 24 4. Title page, line 1, by striking <prohibiting>
- 25 and inserting <relating to>
- 26 5. By renumbering as necessary.

T. OLSON of Linn

HF2214.5069 (2) 84

-1-

dea/nh

1/1



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 13, 2012

House File 2380

H-8240

1 Amend the amendment, H-8196, to House File 2380 as
2 follows:
3 1. Page 1, line 19, after <age> by inserting
4 <unless the parent or guardian of the child notifies
5 the school district in writing of the parent's or
6 guardian's intent to remove the child from enrollment
7 in the school district>

CHAMBERS of O'Brien



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 13, 2012

House File 2380

H-8241

- 1 Amend the amendment, H-8191, to House File 2380 as
- 2 follows:
- 3 1. Page 2, by striking lines 35 through 40.

BYRNES of Mitchell



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 13, 2012

House File 2380

H-8242

- 1 Amend the amendment, H-8222, to House File 2380 as
- 2 follows:
- 3 1. Page 1, after line 30 by inserting:
- 4 <Sec. ____ EFFECTIVE DATE. This division of this
- 5 Act takes effect July 1, 2013.>
- 6 2. By renumbering as necessary.

J. SMITH of Dickinson

COWNIE of Polk



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 13, 2012

House File 2435

H-8243

- 1 Amend House File 2435 as follows:
2 1. Page 9, line 30, by striking <3,788,859> and
3 inserting <3,979,048>
4 2. Page 11, line 6, by striking <70,000> and
5 inserting <132,580>
6 3. Page 11, after line 6 by inserting:
7 <(1A) For distribution to the Iowa family planning
8 network agencies for necessary infrastructure,
9 statewide coordination, provider recruitment, service
10 delivery, and provision of assistance to patients in
11 determining an appropriate medical home:
12 \$ 77,609>
13 4. Page 11, line 33, by striking <260,000> and
14 inserting <310,000>

PETERSEN of Polk



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 13, 2012

House File 2435

H-8244

1 Amend House File 2435 as follows:
2 1. Page 61, after line 23 by inserting:
3 <Sec. _____. Section 237A.13, subsection 7, paragraph
4 a, Code 2011, is amended to read as follows:
5 a. Families with an income at or below one hundred
6 percent of the federal poverty level whose members ~~are~~
7 ~~employed, for at least twenty-eight hours per week in~~
8 the aggregate, are employed or are participating at a
9 satisfactory level in an approved training program or
10 educational program, and parents with a family income
11 at or below one hundred percent of the federal poverty
12 level who are under the age of twenty-one years and are
13 participating in an educational program leading to a
14 high school diploma or the equivalent.>
15 2. By renumbering as necessary.

PETERSEN of Polk



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 13, 2012

House File 2214

H-8245

1 Amend House File 2214 as follows:

2 1. By striking everything after the enacting clause
3 and inserting:

4 <Section 1. Section 364.22, Code 2011, is amended
5 by adding the following new subsection:

6 NEW SUBSECTION. 16. *a.* A civil penalty imposed
7 for a motor vehicle violation under a city's automated
8 traffic law enforcement program shall not exceed the
9 following amounts:

10 (1) For failure to obey an official traffic control
11 signal, an amount which is twenty-five dollars less
12 than the amount of the fine established in section
13 805.8A for an equivalent violation charged as a
14 scheduled violation.

15 (2) For a speeding violation, the amount of the
16 fine established in section 805.8A for an equivalent
17 speeding violation charged as a scheduled violation.

18 *b.* A city shall not charge the owner of a motor
19 vehicle administrative fees in addition to any civil
20 penalty imposed for a violation charged under the
21 city's automated traffic law enforcement program.

22 *c.* (1) Notwithstanding section 364.22B or any
23 other provision to the contrary, a city shall not
24 contract with a private collection designee for
25 collection of a delinquent fine imposed for a motor
26 vehicle violation under a city's automated traffic
27 law enforcement program sooner than six months after
28 the initial mailing of the notice of the fine to the
29 owner of the motor vehicle involved in the violation.
30 Not less than thirty days prior to contracting with a
31 private collection designee, the city shall send the
32 person responsible for the fine at least one notice
33 reminding the person of the delinquent debt and of the
34 city's intended action with regard to collection of the
35 debt.

36 (2) A city shall not contract with a private
37 collection designee for collection of a delinquent
38 fine imposed for a motor vehicle violation under a
39 city's automated traffic law enforcement program at any
40 time while the owner of the motor vehicle is pursuing
41 an appeal of the fine in accordance with the appeals
42 process established by the city by ordinance.

43 *d.* For purposes of this subsection:

44 (1) "*Automated traffic law enforcement program*"
45 means the utilization of one or more automated traffic
46 law enforcement systems to issue citations for civil
47 violations of traffic laws.

48 (2) "*Automated traffic law enforcement system*"
49 means a device with one or more sensors working in
50 conjunction with an official traffic control signal or

HF2214.5073 (1) 84

-1-

dea/sc

1/2



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 13, 2012

1 a speed measuring device to produce recorded images
2 of vehicles being operated in violation of traffic or
3 speed laws.

4 Sec. 2. UNIFORM APPEALS PROCESS FOR AUTOMATED
5 TRAFFIC LAW ENFORCEMENT PROGRAMS. The department of
6 transportation shall coordinate a committee composed
7 of representatives selected by each city in Iowa
8 with an automated traffic law enforcement program and
9 representatives of any other Iowa cities desiring to
10 participate. The purpose of the committee shall be to
11 design a structured and uniform process for appealing
12 civil penalties imposed under automated traffic law
13 enforcement programs in cities throughout the state.
14 The department shall make a written report to the
15 general assembly on or before December 31, 2013,
16 describing the process agreed to by the committee.>
17 2. Title page, by striking lines 1 through 2 and
18 inserting <An Act relating to civil penalties imposed
19 by cities under an automated traffic law enforcement
20 program and providing for the adoption of a uniform
21 process for appeals.>

HALL of Woodbury



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 13, 2012

House File 2214

H-8246

- 1 Amend House File 2214 as follows:
2 1. Page 1, line 8, by striking <ordinance.> and
3 inserting <ordinance, except as provided in this
4 section.>
5 2. Page 1, after line 8 by inserting:
6 <2. The state or a local authority may use an
7 automated traffic law enforcement camera in a road work
8 zone to detect violations by motor vehicle operators
9 traveling at a speed that is more than ten miles per
10 hour above the posted speed limit.>
11 3. Page 1, line 9, by striking <2.> and inserting
12 <3.>
13 4. Page 1, line 22, before <shall> by inserting <in
14 a manner not authorized pursuant to section 321.5A, as
15 enacted by this Act,>
16 5. Page 1, line 28, after <system> by inserting <in
17 a manner not authorized pursuant to section 321.5A, as
18 enacted by this Act,>
19 6. Title page, line 1, by striking <prohibiting>
20 and inserting <relating to>
21 7. By renumbering as necessary.

JORGENSEN of Woodbury



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 13, 2012

House File 2214

H-8247

1 Amend House File 2214 as follows:

2 1. By striking everything after the enacting clause
3 and inserting:

4 <Section 1. Section 321.1, Code Supplement 2011, is
5 amended by adding the following new subsection:

6 NEW SUBSECTION. 95. "Automated traffic law
7 enforcement system" means a device with one or more
8 sensors working in conjunction with a traffic control
9 signal or device or a speed-measuring device to produce
10 recorded images of vehicles being operated in violation
11 of traffic or speed laws. "Automated traffic law
12 enforcement system" does not include a device operated
13 in the presence of a peace officer or a device mounted
14 on a school bus and operated in the presence of the
15 driver of the school bus.

16 Sec. 2. NEW SECTION. 321.5A Automated traffic
17 enforcement systems.

18 A local authority shall not use an automated traffic
19 enforcement system except as provided in this section.

20 1. A local authority may by ordinance authorize
21 the use of automated traffic enforcement systems to
22 detect violations of posted speed limits or official
23 traffic-control signals which constitute municipal or
24 county infractions.

25 2. A local authority shall not charge the owner
26 of a motor vehicle administrative costs in addition
27 to any civil penalty imposed for a violation detected
28 by an automated traffic enforcement system. Civil
29 penalties imposed for such violations shall not exceed
30 one hundred dollars.

31 Sec. 3. EXISTING AUTOMATED TRAFFIC ENFORCEMENT
32 SYSTEMS — VALIDITY OF PRIOR NOTICES AND
33 CITATIONS. Notices mailed or citations issued
34 of violations committed prior to the effective date of
35 this Act, pursuant to a local ordinance authorizing the
36 use of an automated traffic enforcement system, shall
37 not be invalidated by the enactment of this Act and
38 shall be processed according to the provisions of the
39 law under which they were authorized.>

40 2. Title page, line 1, by striking <prohibiting>
41 and inserting <relating to>

42 3. Title page, by striking line 2 and inserting
43 <systems.>

JORGENSEN of Woodbury

HF2214.5077 (2) 84

-1-

dea/sc

1/1



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 13, 2012

House File 2380

H-8248

1 Amend the amendment, H-8189, to House File 2380 as
2 follows:
3 1. Page 1, line 3, after <13> by inserting <and
4 inserting:
5 <Sec. _____. Section 256.7, subsection 26, paragraph
6 b, Code Supplement 2011, is amended to read as follows:
7 b. Continue the inclusive process begun during the
8 initial development of a core curriculum for grades
9 nine through twelve including stakeholder involvement,
10 including but not limited to representatives from
11 the private sector and the business community, and
12 alignment of the core curriculum to other recognized
13 sets of national and international standards. The
14 state board shall also recommend quality assessments
15 to school districts and accredited nonpublic schools
16 to measure the core curriculum. The state board
17 shall establish scoring levels of excellence by
18 which students who achieve those levels on quality
19 assessments may qualify for a scholarship under the all
20 Iowa opportunity scholarship program.>>

MASCHER of Johnson



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 13, 2012

House File 2380

H-8249

- 1 Amend the amendment, H-8179, to House File 2380 as
2 follows:
3 1. Page 1, line 12, by striking <one-half> and
4 inserting <eighteen one-hundredths>
5 2. Page 1, line 13, after <pupils> by inserting
6 <, and shall limit a school district's enrollment of
7 pupils in educational instruction and course content
8 that is delivered over the internet to not more than
9 one percent of the school district's enrollment>
10 3. Page 3, after line 12 by inserting:
11 <Sec. _____. **NEW SECTION. 256.28 Iowa learning**
12 **online initiative.**
13 1. An Iowa learning online initiative is
14 established within the department of education to
15 partner with school districts and accredited nonpublic
16 schools to provide distance education to high school
17 students statewide. The department shall utilize
18 a variety of content repositories, including those
19 maintained by the area education agencies and the
20 public broadcasting division, in administering the
21 initiative.
22 2. Coursework offered under the initiative shall
23 meet the requirements of section 256.7, subsections
24 7, 8, and 9, and shall be taught by an appropriately
25 licensed teacher who has completed an online-learning
26 -for-Iowa-educators-professional-development project
27 offered by area education agencies, a teacher
28 preservice program, or comparable coursework.
29 3. Under the initiative, students must be enrolled
30 in a participating school district or school, which
31 is responsible for recording grades received for
32 initiative coursework in a student's permanent record,
33 awarding high school credit for initiative coursework,
34 and issuing high school diplomas to students enrolled
35 in the district or school who participate and complete
36 coursework under the initiative. Each participating
37 school district or school shall identify a site
38 coordinator to serve as a student advocate and as a
39 liaison between the initiative staff and teachers and
40 the school district or school.
41 4. Coursework offered under the initiative shall
42 be rigorous and high quality, and the department
43 shall annually evaluate the quality of the courses,
44 ensure that coursework is aligned with the state's
45 core curriculum and core content requirements and
46 standards, as well as national standards of quality for
47 online courses issued by an internationally recognized
48 association for kindergarten through grade twelve
49 online learning.
50 5. The department may waive any requirement that a

H8179.5092 (1) 84

-1-

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1/2



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 13, 2012

1 subject being studied under the initiative by a student
2 enrolled in a school district or school participating
3 in the initiative be a subject that is offered and
4 taught by the professional staff of the participating
5 school district or school.>
6 4. Page 3, after line 24 by inserting:
7 <Sec. _____. CENTER OF EXCELLENCE FOR ONLINE LEARNING
8 — LEGISLATIVE INTENT. It is the intent of the general
9 assembly to encourage and support the establishment
10 of a center for excellence for online learning at the
11 university of northern Iowa.>
12 5. By renumbering as necessary.

CHAMBERS of O'Brien

J. TAYLOR of Woodbury



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 13, 2012

House File 2380

H-8250

- 1 Amend the amendment, H-8191, to House File 2380 as
2 follows:
3 1. Page 1, after line 1 by inserting:
4 <____. Page 3, before line 26 by inserting:
5 <DIVISION ____
6 CORE CURRICULUM MATTERS
7 Sec. _____. Section 256.7, subsection 26, paragraph
8 a, subparagraph (2), Code Supplement 2011, is amended
9 to read as follows:
10 (2) The rules establishing a core curriculum shall
11 address the core content standards in subsection 28 and
12 the skills and knowledge students need to be successful
13 in the twenty-first century. The core curriculum
14 shall include social studies and twenty-first century
15 learning skills which include but are not limited to
16 civic literacy, health literacy, technology literacy,
17 financial literacy, and employability skills; and
18 shall address the curricular needs of students in
19 kindergarten through grade twelve in those areas.
20 The department shall further define the twenty-first
21 century learning skills components by rule. The
22 provisions of section 256.18 shall be considered by
23 the state board in developing the core curriculum
24 requirements.
25 (3) Notwithstanding any provision to the contrary,
26 an accredited nonpublic school is not required to
27 meet the core curriculum and core content standards
28 requirements of this chapter that are in conflict
29 with tenets and practices of the bona fide religious
30 institution in charge of the school.>>
31 2. By renumbering as necessary.

CHAMBERS of O'Brien

H8191.5094 (2) 84

-1-

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1/1



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 13, 2012

House File 2214

H-8251

1 Amend House File 2214 as follows:

2 1. By striking everything after the enacting clause
3 and inserting:

4 <Section 1. Section 321.1, Code Supplement 2011, is
5 amended by adding the following new subsection:

6 NEW SUBSECTION. 95. "Automated traffic law
7 enforcement system" means a device with one or more
8 sensors working in conjunction with a traffic control
9 signal or device or a speed-measuring device to produce
10 recorded images of vehicles being operated in violation
11 of traffic or speed laws. "Automated traffic law
12 enforcement system" does not include a device operated
13 in the presence of a peace officer or a device mounted
14 on a school bus and operated in the presence of the
15 driver of the school bus.

16 Sec. 2. NEW SECTION. 321.5A Automated traffic
17 enforcement systems.

18 A local authority shall not use an automated traffic
19 enforcement system except as provided in this section.

20 1. A local authority may by ordinance authorize
21 the use of automated traffic enforcement systems to
22 detect violations of posted speed limits or official
23 traffic-control signals which constitute municipal or
24 county infractions.

25 2. Recorded images produced by an automated traffic
26 enforcement system evidencing a violation of a posted
27 speed limit or an official traffic-control signal
28 shall be reviewed by a peace officer of the local law
29 enforcement agency to affirm that a violation occurred
30 and the identity of the motor vehicle involved in the
31 violation. If following the officer's review, a notice
32 of a fine or citation is issued to the owner of the
33 motor vehicle involved in the violation, the following
34 requirements apply:

35 a. An affidavit bearing the written or electronic
36 signature of the peace officer shall be included on the
37 notice or citation.

38 b. The notice or citation shall contain a
39 statement, in bold type, regarding the process for
40 appealing the fine.

41 c. The notice or citation shall be sent by ordinary
42 mail to the owner of the motor vehicle involved not
43 more than thirty days following the incident giving
44 rise to the notice of a fine or citation, as evidenced
45 by the postmark.

46 Sec. 3. EXISTING AUTOMATED TRAFFIC ENFORCEMENT
47 SYSTEMS — VALIDITY OF PRIOR NOTICES AND
48 CITATIONS. Notices mailed or citations issued
49 of violations committed prior to the effective date of
50 this Act, pursuant to a local ordinance authorizing the

HF2214.5080 (1) 84

-1-

dea/sc

1/2



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 13, 2012

1 use of an automated traffic enforcement system, shall
2 not be invalidated by the enactment of this Act and
3 shall be processed according to the provisions of the
4 law under which they were authorized.>
5 2. Title page, line 1, by striking <prohibiting>
6 and inserting <relating to>
7 3. Title page, by striking line 2 and inserting
8 <systems.>

JORGENSEN of Woodbury



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 13, 2012

House File 2214

H-8252

1 Amend House File 2214 as follows:

2 1. By striking everything after the enacting clause
3 and inserting:

4 <Section 1. Section 321.1, Code Supplement 2011, is
5 amended by adding the following new subsection:

6 NEW SUBSECTION. 95. "Automated traffic law
7 enforcement system" means a device with one or more
8 sensors working in conjunction with a traffic control
9 signal or device or a speed-measuring device to produce
10 recorded images of vehicles being operated in violation
11 of traffic or speed laws. "Automated traffic law
12 enforcement system" does not include a device operated
13 in the presence of a peace officer or a device mounted
14 on a school bus and operated in the presence of the
15 driver of the school bus.

16 Sec. 2. NEW SECTION. 321.5A Automated traffic
17 enforcement systems.

18 A local authority shall not use an automated traffic
19 enforcement system except as provided in this section.

20 1. A local authority may by ordinance authorize
21 the use of automated traffic enforcement systems to
22 detect violations of posted speed limits or official
23 traffic-control signals which constitute municipal or
24 county infractions.

25 2. A local authority shall provide signage, in
26 conformance with the uniform system adopted pursuant
27 to section 321.252, giving notice of the use of an
28 automated traffic enforcement system on the approach to
29 each location where an automated traffic enforcement
30 system is in use as follows:

31 *a.* A sign shall be posted on each road on the
32 approach to the next traffic-control signal where an
33 automated traffic enforcement system is in use.

34 *b.* A sign shall be posted on the approach to the
35 next speed limit zone on a road where an automated
36 traffic enforcement system is being used for speed
37 limit enforcement.

38 *c.* A temporary sign shall be positioned or posted
39 on the approach to each location where a mobile
40 automated traffic enforcement system is being used for
41 speed limit enforcement.

42 *d.* A temporary or permanent sign giving notice of
43 the use of an automated traffic enforcement system for
44 the enforcement of speed limits shall be positioned
45 or posted at a distance in advance of the automated
46 traffic enforcement system which, in relation to the
47 applicable speed limit, would provide adequate notice
48 to a motor vehicle operator travelling at the speed
49 limit before entering the range of the automated
50 traffic enforcement system.>

HF2214.5079 (1) 84

-1-

dea/sc

1/2



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 13, 2012

1 2. Title page, line 1, by striking <prohibiting>
2 and inserting <relating to>
3 3. Title page, by striking line 2 and inserting
4 <systems.>

JORGENSEN of Woodbury



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 13, 2012

House File 2214

H-8253

1 Amend House File 2214 as follows:

2 1. By striking everything after the enacting clause
3 and inserting:

4 <Section 1. Section 331.307, Code 2011, is amended
5 by adding the following new subsection:

6 NEW SUBSECTION. 14. a. Notwithstanding any other
7 provision of law, civil fines collected by a county
8 from the use of an automated traffic law enforcement
9 system shall be allocated as follows:

10 (1) The amount necessary to satisfy contractual
11 obligations of the county relating to the use of
12 automated traffic law enforcement systems shall be
13 retained by the county for that purpose.

14 (2) Moneys in excess of the amount necessary
15 for the purpose specified in subparagraph (1) shall
16 be deposited in the account established in section
17 602.8108.

18 *b. For purposes of this subsection, "automated*
19 *traffic law enforcement system" means a device with one*
20 *or more sensors working in conjunction with a traffic*
21 *control signal or device or a speed-measuring device to*
22 *produce recorded images of vehicles being operated in*
23 *violation of traffic or speed laws.*

24 Sec. 2. Section 364.3, subsection 2, Code
25 Supplement 2011, is amended to read as follows:

26 2. For a violation of an ordinance, a city shall
27 not provide a penalty in excess of the maximum fine and
28 term of imprisonment for a simple misdemeanor under
29 section 903.1, subsection 1, paragraph "a". An Except
30 as otherwise provided in this section, an amount equal
31 to ten percent of all fines collected by cities shall
32 be deposited in the account established in section
33 602.8108. However, one

34 a. One hundred percent of all fines collected by a
35 city pursuant to section 321.236, subsection 1, shall
36 be retained by the city.

37 b. Civil fines collected by a city from the use of
38 an automated traffic law enforcement system shall be
39 allocated as follows:

40 (1) The amount necessary to satisfy contractual
41 obligations of the city relating to the use of
42 automated traffic law enforcement systems shall be
43 retained by the city for that purpose.

44 (2) Moneys in excess of the amount necessary
45 for the purpose specified in subparagraph (1) shall
46 be deposited in the account established in section
47 602.8108.

48 (3) For purposes of this subsection, "automated
49 traffic law enforcement system" means a device with one
50 or more sensors working in conjunction with a traffic

HF2214.5081 (2) 84

-1-

dea/sc

1/2



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 13, 2012

1 control signal or device or a speed-measuring device to
2 produce recorded images of vehicles being operated in
3 violation of traffic or speed laws.
4 c. The criminal penalty surcharge required by
5 section 911.1 shall be added to a city fine and is not
6 a part of the city's penalty.
7 Sec. 3. Section 602.8108, Code Supplement 2011, is
8 amended by adding the following new subsection:
9 NEW SUBSECTION. 11. The clerk of the district
10 court shall forward to the treasurer of state, not
11 later than the fifteenth day of each month, all moneys
12 received from counties pursuant to section 331.307,
13 subsection 14, and from cities pursuant to section
14 364.3, subsection 2, paragraph "b", for deposit in the
15 road use tax fund.>
16 2. Title page, by striking lines 1 through 2 and
17 inserting <An Act providing for the disposition of
18 fines collected by a city or county pursuant to an
19 automated traffic law program.>

JORGENSEN of Woodbury



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 13, 2012

House File 2214

H-8254

1 Amend House File 2214 as follows:

2 1. By striking everything after the enacting clause
3 and inserting:

4 <Section 1. Section 331.307, Code 2011, is amended
5 by adding the following new subsection:

6 NEW SUBSECTION. 14. a. Notwithstanding any other
7 provision of law, civil fines collected by a county
8 from the use of an automated traffic law enforcement
9 system shall be allocated as follows:

10 (1) The amount necessary to satisfy contractual
11 obligations of the county relating to the use of
12 automated traffic law enforcement systems shall be
13 retained by the county for that purpose.

14 (2) From civil fines collected for violations
15 committed on roads under the jurisdiction of the
16 county, the county shall retain the amount in excess
17 of the amount necessary for the purpose specified in
18 subparagraph (1).

19 (3) Moneys in excess of the amount retained under
20 subparagraph (1) or (2) shall be deposited in the
21 account established in section 602.8108.

22 *b. For purposes of this subsection, "automated*
23 *traffic law enforcement system" means a device with one*
24 *or more sensors working in conjunction with a traffic*
25 *control signal or device or a speed-measuring device to*
26 *produce recorded images of vehicles being operated in*
27 *violation of traffic or speed laws.*

28 Sec. 2. Section 364.3, subsection 2, Code
29 Supplement 2011, is amended to read as follows:

30 2. For a violation of an ordinance, a city shall
31 not provide a penalty in excess of the maximum fine and
32 term of imprisonment for a simple misdemeanor under
33 section 903.1, subsection 1, paragraph "a". An Except
34 as otherwise provided in this section, an amount equal
35 to ten percent of all fines collected by cities shall
36 be deposited in the account established in section
37 602.8108. However, one

38 a. One hundred percent of all fines collected by a
39 city pursuant to section 321.236, subsection 1, shall
40 be retained by the city.

41 b. Civil fines collected by a city from the use of
42 an automated traffic law enforcement system shall be
43 allocated as follows:

44 (1) The amount necessary to satisfy contractual
45 obligations of the city relating to the use of
46 automated traffic law enforcement systems shall be
47 retained by the city for that purpose.

48 (2) From civil fines collected for violations
49 committed on roads under the jurisdiction of the
50 city, the city shall retain the amount in excess of

HF2214.5089 (3) 84

-1-

dea/sc

1/2



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 13, 2012

1 the amount necessary for the purpose specified in
2 subparagraph (1). A city shall not retain any fines
3 collected from violations committed on any portion of
4 a primary or interstate highway including an extension
5 of a primary highway or interstate within the limits
6 of the city.
7 (3) Moneys in excess of the amount retained under
8 subparagraph (1) or (2) shall be deposited in the
9 account established in section 602.8108.
10 c. For purposes of this subsection, "automated
11 traffic law enforcement system" means a device with one
12 or more sensors working in conjunction with a traffic
13 control signal or device or a speed-measuring device to
14 produce recorded images of vehicles being operated in
15 violation of traffic or speed laws.
16 d. The criminal penalty surcharge required by
17 section 911.1 shall be added to a city fine and is not
18 a part of the city's penalty.
19 Sec. 3. Section 602.8108, Code Supplement 2011, is
20 amended by adding the following new subsection:
21 NEW SUBSECTION. 11. The clerk of the district
22 court shall forward to the treasurer of state, not
23 later than the fifteenth day of each month, all moneys
24 received from counties pursuant to section 331.307,
25 subsection 14, and from cities pursuant to section
26 364.3, subsection 2, paragraph "b", for deposit in the
27 road use tax fund.>
28 2. Title page, by striking lines 1 and 2 and
29 inserting <An Act providing for the disposition of
30 fines collected by a city or county pursuant to an
31 automated traffic law enforcement program.>

WAGNER of Linn

HF2214.5089 (3) 84

-2-

dea/sc

2/2



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 13, 2012

House File 2214

H-8255

- 1 Amend House File 2214 as follows:
2 1. Page 1, line 3, by striking <The> and inserting
3 <Except as provided in this section, the>
4 2. Page 1, after line 8 by inserting:
5 <2. A local authority may use automated traffic
6 enforcement systems, provided that the number of such
7 systems in relation to the population of the city or
8 county using the systems shall not exceed a ratio of
9 one system for each ten thousand population.>
10 3. Page 1, line 9, by striking <2.> and inserting
11 <3.>
12 4. Page 1, by striking lines 22 through 25
13 and inserting <enforcement system not authorized
14 under section 321.5A, as enacted by this Act, shall
15 discontinue using the system on or before the effective
16 date of this Act.>
17 5. Page 1, line 28, after <system> by inserting
18 <not authorized under section 321.5A, as enacted by
19 this Act,>
20 6. Title page, line 1, by striking <prohibiting>
21 and inserting <relating to>
22 7. By renumbering as necessary.

JORGENSEN of Woodbury



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 13, 2012

House File 2214

H-8256

1 Amend House File 2214 as follows:
2 1. By striking everything after the enacting clause
3 and inserting:
4 <Section 1. Section 321.1, Code Supplement 2011, is
5 amended by adding the following new subsection:
6 NEW SUBSECTION. 95. "Automated traffic law
7 enforcement system" means a device with one or more
8 sensors working in conjunction with a traffic control
9 signal or device or a speed-measuring device to produce
10 recorded images of vehicles being operated in violation
11 of traffic or speed laws. "Automated traffic law
12 enforcement system" does not include a device operated
13 in the presence of a peace officer or a device mounted
14 on a school bus and operated in the presence of the
15 driver of the school bus.
16 Sec. 2. NEW SECTION. 321.5A Automated traffic
17 enforcement systems.
18 A local authority shall not use an automated traffic
19 enforcement system except as provided in this section.
20 1. A local authority may by ordinance authorize
21 the use of automated traffic enforcement systems to
22 detect violations of posted speed limits or official
23 traffic-control signals which constitute municipal or
24 county infractions.
25 2. Notwithstanding subsection 1, a local authority
26 shall not use an automated traffic law enforcement
27 system on any road or portion of a road which is not
28 under the jurisdiction of the local authority including
29 but not limited to an interstate or a primary road
30 extension within a city.
31 Sec. 3. EXISTING AUTOMATED TRAFFIC ENFORCEMENT
32 SYSTEMS — VALIDITY OF PRIOR NOTICES AND
33 CITATIONS. Notices mailed or citations issued
34 of violations committed prior to the effective date of
35 this Act, pursuant to a local ordinance authorizing the
36 use of an automated traffic enforcement system, shall
37 not be invalidated by the enactment of this Act and
38 shall be processed according to the provisions of the
39 law under which they were authorized.>
40 2. Title page, line 1, by striking <prohibiting>
41 and inserting <relating to>
42 3. Title page, by striking line 2 and inserting
43 <systems.>

WAGNER of Linn

HF2214.5098 (1) 84

-1-

dea/sc

1/1



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 13, 2012

House File 2214

H-8257

1 Amend House File 2214 as follows:

2 1. By striking everything after the enacting clause
3 and inserting:

4 <Section 1. Section 321.1, Code Supplement 2011, is
5 amended by adding the following new subsection:

6 NEW SUBSECTION. 95. "Automated traffic law
7 enforcement system" means a device with one or more
8 sensors working in conjunction with a traffic control
9 signal or device or a speed-measuring device to produce
10 recorded images of vehicles being operated in violation
11 of traffic or speed laws. "Automated traffic law
12 enforcement system" does not include a device operated
13 in the presence of a peace officer or a device mounted
14 on a school bus and operated in the presence of the
15 driver of the school bus.

16 Sec. 2. NEW SECTION. 321.257A Automated traffic
17 law enforcement systems.

18 Notwithstanding section 321.252 or any requirement
19 of the department's manual of traffic control devices,
20 a local authority that uses an automated traffic
21 law enforcement system in conjunction with a traffic
22 control signal shall establish the following minimum
23 periods of duration for a steady circular yellow,
24 steady yellow arrow, or flashing yellow arrow light
25 on every traffic control device within the local
26 authority's jurisdiction:

27 1. For a traffic control device located in a speed
28 zone with a speed limit of twenty-five miles per hour
29 or less, three seconds.

30 2. For a traffic control device located in a speed
31 zone with a speed limit of more than twenty-five miles
32 per hour but not more than thirty miles per hour, three
33 and one-half seconds.

34 3. For a traffic control device located in a speed
35 zone with a speed limit of more than thirty miles per
36 hour but not more than thirty-five miles per hour, four
37 seconds.

38 4. For a traffic control device located in a speed
39 zone with a speed limit of more than thirty-five miles
40 per hour but not more than forty miles per hour, four
41 and one-half seconds.

42 5. For a traffic control device located in a speed
43 zone with a speed limit of more than forty miles per
44 hour but not more than forty-five miles per hour, five
45 seconds.

46 6. For a traffic control device located in a speed
47 zone with a speed limit of more than forty-five miles
48 per hour but not more than fifty miles per hour, five
49 and one-half seconds.

50 7. For a traffic control device located in a speed

HF2214.5097 (2) 84

-1-

dea/sc

1/2



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 13, 2012

1 zone with a speed limit of more than fifty miles per
2 hour, six seconds.
3 Sec. 3. EXISTING AUTOMATED TRAFFIC ENFORCEMENT
4 SYSTEMS — VALIDITY OF PRIOR NOTICES AND
5 CITATIONS. Notices mailed or citations issued
6 of violations committed prior to the effective date of
7 this Act, pursuant to a local ordinance authorizing the
8 use of an automated traffic enforcement system, shall
9 not be invalidated by the enactment of this Act and
10 shall be processed according to the provisions of the
11 law under which they were authorized.>
12 2. Title page, by striking lines 1 and 2 and
13 inserting <An Act providing for standardization of
14 yellow lights on traffic control signals in communities
15 using automated traffic law enforcement systems.>

L. MILLER of Scott



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 13, 2012

House File 2214

H-8258

- 1 Amend the amendment, H-8234, to House File 2214 as
- 2 follows:
- 3 1. Page 2, line 35, by striking <fifty> and
- 4 inserting <one hundred>

BRANDENBURG of Pottawattamie



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 13, 2012

House File 2214

H-8259

1 Amend the amendment, H-8257, to House File 2214 as
2 follows:

3 1. By striking page 1, line 16, through page 2,
4 line 2, and inserting:

5 Section 1. Section 321.255, Code 2011, is amended
6 to read as follows:

7 **321.255 Local traffic-control devices.**

8 1. Local authorities in their respective
9 jurisdiction shall place and maintain such
10 traffic-control devices upon highways under their
11 jurisdiction as they may deem necessary to indicate
12 and to carry out the provisions of this chapter or
13 local traffic ordinances or to regulate, warn, or guide
14 traffic. All Except as provided in this section, all
15 such traffic-control devices hereafter erected by
16 local authorities shall conform to the state manual and
17 specifications.

18 2. Notwithstanding section 321.252 or any
19 requirement of the department's manual of traffic
20 control devices, a local authority that uses an
21 automated traffic law enforcement system in conjunction
22 with a traffic control signal shall establish the
23 following minimum periods of duration for a steady
24 circular yellow, steady yellow arrow, or flashing
25 yellow arrow light on every traffic control device
26 within the local authority's jurisdiction:

27 a. For a traffic control device located in a speed
28 zone with a speed limit of twenty-five miles per hour
29 or less, three seconds.

30 b. For a traffic control device located in a speed
31 zone with a speed limit of more than twenty-five miles
32 per hour but not more than thirty miles per hour, three
33 and one-half seconds.

34 c. For a traffic control device located in a speed
35 zone with a speed limit of more than thirty miles per
36 hour but not more than thirty-five miles per hour, four
37 seconds.

38 d. For a traffic control device located in a speed
39 zone with a speed limit of more than thirty-five miles
40 per hour but not more than forty miles per hour, four
41 and one-half seconds.

42 e. For a traffic control device located in a speed
43 zone with a speed limit of more than forty miles per
44 hour but not more than forty-five miles per hour, five
45 seconds.

46 f. For a traffic control device located in a speed
47 zone with a speed limit of more than forty-five miles
48 per hour but not more than fifty miles per hour, five
49 and one-half seconds.

50 g. For a traffic control device located in a speed

H8257.5102 (1) 84

-1-

dea/sc

1/2



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 13, 2012

1 zone with a speed limit of more than fifty miles per
2 hour, six seconds.>
3 2. By renumbering as necessary.

L. MILLER of Scott



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 13, 2012

House File 2437 - Introduced

HOUSE FILE 2437
BY MASCHER

A BILL FOR

1 An Act relating to the operations of certain entities
2 established to provide joint emergency response
3 communications services and including effective date and
4 applicability provisions.
5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

TLSB 5966YH (2) 84
md/sc



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 13, 2012

H.F. 2437

1 Section 1. Section 29C.9, subsection 6, Code Supplement
2 2011, is amended to read as follows:

3 6. a. The commission shall determine the mission of its
4 agency and program and provide direction for the delivery of
5 the emergency management services of planning, administration,
6 coordination, training, and support for local governments
7 and their departments. The commission shall coordinate its
8 services in the event of a disaster.

9 b. The commission may also provide joint emergency response
10 communications services through an agreement entered into
11 under chapter 28E. The board or governing body of an entity
12 created under chapter 28E to provide joint emergency response
13 communications services shall only include individuals who
14 are elected public officials currently holding office within
15 the area being provided such communications services. The
16 membership of the board or governing body of such an entity
17 shall not be the same membership as the certifying board for
18 all or any portion of the entity's budget or for any property
19 tax levy from which the entity receives funding. All tax
20 levies and expenditures of such an entity shall be subject to
21 the provisions of chapter 24, and, prior to approval of the
22 budget by the certifying board, each public agency that is
23 a party to the agreement under chapter 28E that is not the
24 certifying board for the budget or levy shall approve the
25 proposed budget by resolution. The proposed budget of such an
26 entity is, however, subject to modification by the political
27 subdivision that is the certifying board for the entity's
28 budget and property tax levy.

29 Sec. 2. IMPLEMENTATION. This Act shall not be construed to
30 invalidate the creation of or the actions taken by an entity
31 created under chapter 28E to provide joint emergency response
32 communications services prior to the effective date of this
33 Act.

34 Sec. 3. EFFECTIVE UPON ENACTMENT. This Act, being deemed of
35 immediate importance, takes effect upon enactment.

LSB 5966YH (2) 84
md/sc

1/2



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 13, 2012

H.F. 2437

1 Sec. 4. APPLICABILITY. This Act applies to entities
2 created under chapter 28E to provide joint emergency response
3 communications services before, on, and after the effective
4 date of this Act.

5 EXPLANATION

6 Current Code section 29C.9(6) allows a county emergency
7 management commission to provide joint emergency response
8 communications services through an agreement entered into
9 under Code chapter 28E. This bill provides that the board or
10 governing body of an entity created under Code chapter 28E
11 to provide joint emergency response communications services
12 shall only include individuals who are elected public officials
13 currently holding office within the area being provided such
14 communications services. The bill provides that the board or
15 governing body of such an entity shall not be the certifying
16 board for all or any portion of the entity's budget or for any
17 property tax levy from which the entity receives funding. The
18 bill also provides that the tax levies and expenditures of such
19 an entity are subject to the provisions of Code chapter 24,
20 and, prior to approval of the proposed budget by the certifying
21 board, each public agency that is a party to the agreement
22 under Code chapter 28E that is not the certifying board
23 for the budget or levy shall approve the proposed budget by
24 resolution. The proposed budget of such an entity is subject
25 to modification by the political subdivision that is the
26 certifying board for the entity's budget and property tax levy.
27 The bill takes effect upon enactment and applies to entities
28 created under Code chapter 28E to provide joint emergency
29 response communications services before, on, and after the
30 effective date of the bill.

31 The bill shall not be construed to invalidate the creation of
32 or the actions taken by an entity created under Code chapter
33 28E to provide joint emergency response communications services
34 prior to the effective date of the bill.



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 13, 2012

House File 2438 - Introduced

HOUSE FILE 2438
BY LUKAN

A BILL FOR

1 An Act relating to the rebate of state sales tax to qualified
2 new Iowa businesses.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

TLSB 5339YH (1) 84
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Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 13, 2012

H.F. 2438

1 Section 1. Section 423.2, subsection 11, Code Supplement
2 2011, is amended to read as follows:
3 11. *a.* All revenues arising under the operation of the
4 provisions of this section shall be deposited into the general
5 fund of the state.
6 *b.* Subsequent to the deposit into the general fund of the
7 state ~~and after the transfer of such~~ pursuant to paragraph *"a"*,
8 ~~the department shall do the following in the order prescribed:~~
9 (1) Transfer the revenues collected under chapter 423B, the
10 department shall transfer.
11 (2) Transfer from the remaining revenues the amounts
12 required under Article VII, section 10, of the Constitution
13 of the State of Iowa to the natural resources and outdoor
14 recreation trust fund created in section 461.31, if applicable.
15 (3) Transfer one-sixth of such the remaining revenues to the
16 secure an advanced vision for education fund created in section
17 423F.2. This paragraph subparagraph (3) is repealed December
18 31, 2029.
19 (4) Beginning the first day of the quarter following July
20 1, 2012, transfer to the qualified new Iowa business sales
21 tax rebate fund created under section 423.4, subsection 10,
22 paragraph *"e"*, that portion of the sales tax receipts collected
23 and remitted upon sales of tangible personal property or
24 services furnished by a qualified new Iowa business meeting the
25 qualifications of section 423.4, subsection 10, that remains
26 after the transfers required in subparagraphs (1), (2), and (3)
27 of this paragraph *"b"*.
28 Sec. 2. Section 423.4, Code Supplement 2011, is amended by
29 adding the following new subsection:
30 NEW SUBSECTION. 10. *a.* For purposes of this subsection:
31 (1) *"Change of control"* means any change in the ownership
32 of a qualified new Iowa business such that all the equity
33 interests in the qualified new Iowa business ceases to be owned
34 by individuals who are new business owners.
35 (2) *"New business"* includes any activity engaged in by

LSB 5339YH (1) 84

-1-

mm/sc

1/5



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 13, 2012

H.F. 2438

1 any person or caused to be engaged in by the person with
2 the object of gain, benefit, or advantage, either direct or
3 indirect, which activity was not previously engaged in or
4 caused to be engaged in by that person before July 1, 2012.
5 This subparagraph shall not be construed to include activity
6 performed or caused to be performed by a person acting in the
7 capacity of an employee, or activity that meets the definition
8 of "casual sales" in section 423.3.

9 (3) "*New business owner*" means an individual who meets all
10 the following requirements:

11 (a) The individual acquires an equity interest in a new
12 business on or after July 1, 2012.

13 (b) The individual has not engaged in or caused to be
14 engaged in by the individual any activity with the objective
15 of gain, benefit, or advantage, either direct or indirect,
16 prior to the date on which the individual acquires the equity
17 interest in the new business. This subparagraph division shall
18 not be construed to include activity performed or caused to be
19 performed by a person acting in the capacity of an employee, or
20 activity that meets the definition of "casual sales" in section
21 423.3.

22 (4) "*Qualified new Iowa business*" means a new business
23 whose equity interests are all owned by new business owners
24 and whose commercial domicile, as defined in section 422.32,
25 is in this state, and includes a sole proprietorship, joint
26 venture, partnership, limited liability company, corporation,
27 association, or any other business entity operated for profit.

28 *b.* A qualified new Iowa business may apply to the department
29 for a rebate of sales tax imposed and collected by the
30 qualified new Iowa business upon sales of any tangible personal
31 property or services furnished to purchasers by the qualified
32 new Iowa business.

33 *c.* The rebate may be obtained only in the following amounts
34 and manner and only under the following conditions:

35 (1) The rebate shall be applied for on forms furnished

LSB 5339YH (1) 84

-2-

mm/sc

2/5



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 13, 2012

H.F. 2438

1 by the department within the time period provided by the
2 department by rule, which time period shall not be longer than
3 quarterly.

4 (2) The qualified new Iowa business shall provide
5 information as deemed necessary by the department.

6 (3) The transactions for which sales tax was collected
7 and the rebate is sought occurred on or after the date the
8 qualified new Iowa business registers with the department and
9 is certified as a qualified new Iowa business pursuant to
10 paragraph "d". However, not more than five hundred thousand
11 dollars in total rebates shall be provided pursuant to this
12 subsection for each qualified new Iowa business.

13 (4) Notwithstanding subparagraph (3), the rebate of sales
14 tax shall cease for transactions occurring on or after the date
15 of the change of control of the qualified new Iowa business.

16 d. To assist the department in determining taxpayers
17 eligible for the rebate, the owner of a business shall register
18 with the department as a qualified new Iowa business using the
19 forms and procedures prescribed by the department. If the
20 department determines that the business meets the definition of
21 a qualified new Iowa business, the department shall certify the
22 business as a qualified new Iowa business.

23 e. There is established within the state treasury under the
24 control of the department a qualified new Iowa business sales
25 tax rebate fund consisting of the amount of state sales tax
26 revenues transferred pursuant to section 423.2, subsection 11,
27 paragraph "b", subparagraph (4). An account is created within
28 the fund for each qualified new Iowa business meeting the
29 qualifications of this subsection. Moneys in the fund shall
30 only be used to provide rebates of state sales tax pursuant
31 to this subsection, and only the state sales tax revenues in
32 the qualified new Iowa business sales tax rebate fund are
33 subject to rebate under this subsection. Any moneys in the
34 fund that represent state sales tax revenue for which the time
35 period in paragraph "c" for receiving a rebate has expired,

LSB 5339YH (1) 84

-3-

mm/sc

3/5



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 13, 2012

H.F. 2438

1 or that otherwise represent state sales tax revenue that has
2 become ineligible for rebate pursuant to this subsection, shall
3 immediately revert to the general fund of the state.

4 *f.* Upon determining that the conditions and requirements
5 of this subsection and the department are met, the department
6 shall issue a warrant from the applicable account within the
7 qualified new Iowa business sales tax rebate fund to the
8 qualified new Iowa business in the amount claimed and verified
9 by the department.

10 EXPLANATION

11 This bill authorizes the department of revenue to rebate
12 sales tax collected by a qualified new Iowa business.
13 "Qualified new Iowa business" is defined as any new business
14 owned entirely by new business owners and whose commercial
15 domicile is located in this state. "New business" includes
16 any activity engaged in for the first time by a person after
17 July 1, 2012, with the object of gain, benefit, or advantage,
18 excluding activities performed as an employee or activities
19 that meet the definition of "casual sales" in Code section
20 423.3. "New business owners" are individuals that acquire an
21 equity interest in a new business and that have not previously
22 engaged in any activity with the object of gain, benefit, or
23 advantage, excluding activities performed as an employee or
24 activities that meet the definition of "casual sales" in Code
25 section 423.3.

26 The rebate of sales tax only applies to the sales tax
27 collected on transactions occurring on or after the date a
28 qualified new Iowa business registers with the department of
29 revenue and is certified as a qualified new Iowa business, and
30 shall only be paid from the qualified new Iowa business sales
31 tax rebate fund created in the bill.

32 The bill creates the qualified new Iowa business sales tax
33 rebate fund consisting of the remaining amount of state sales
34 tax revenue collected upon sales of tangible personal property
35 or services furnished by a qualified new Iowa business after

LSB 5339YH (1) 84

-4-

mm/sc

4/5



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 13, 2012

H.F. 2438

1 subtracting the local option sales tax under Code chapter
2 423B, the natural resources and outdoor recreation trust
3 fund transfer pursuant to Article VII, section 10, of the
4 Constitution of the State of Iowa if applicable, and the secure
5 an advanced vision for education fund transfer pursuant to Code
6 section 423F.2. Rebates are paid only from this rebate fund
7 and are limited to the amounts in the fund. The total amount
8 that may be rebated from the fund for each qualified new Iowa
9 business is \$500,000.

10 The rebate ceases for a qualified new Iowa business if
11 the business has an ownership change wherein all the equity
12 interests cease to be owned by new business owners.



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 13, 2012

House File 2439 - Introduced

HOUSE FILE 2439
BY COMMITTEE ON WAYS AND MEANS

(SUCCESSOR TO HSB 660)

A BILL FOR

1 An Act relating to the administration of the sales and use
2 taxes by modifying provisions related to property purchased
3 for resale and by creating a sales tax exemption for certain
4 items purchased for use in providing vehicle wash and wax
5 services and including effective date provisions.
6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

TLSB 5512HV (3) 84
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Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 13, 2012

H.F. 2439

1 Section 1. Section 423.1, subsection 39, paragraphs b and c,
2 Code Supplement 2011, are amended to read as follows:

3 b. The property is transferred to the user of the service
4 in connection with the performance of the service in a form
5 or quantity capable of a fixed or definite price value, or
6 the property is entirely consumed in connection with the
7 performance of an auto body repair service purchased by the
8 ultimate user.

9 c. The sale is evidenced by a separate charge for the
10 identifiable piece of property unless the property is entirely
11 consumed in connection with the performance of an auto body
12 repair service purchased by the ultimate user.

13 Sec. 2. Section 423.3, Code Supplement 2011, is amended by
14 adding the following new subsection:

15 NEW SUBSECTION. 96. The sales price from the sale of water,
16 electricity, chemicals, solvents, sorbents, or reagents to a
17 retailer to be used in providing a service that includes a
18 vehicle wash and wax, which vehicle wash and wax service is
19 subject to section 423.2, subsection 6.

20 Sec. 3. EFFECTIVE UPON ENACTMENT. This Act, being deemed of
21 immediate importance, takes effect upon enactment.

22 EXPLANATION

23 This bill amends the definition of "property purchased for
24 resale in connection with the performance of a service" in
25 Code section 423.1. Under current law, property qualifies
26 as "property purchased for resale in connection with the
27 performance of a service" if, among other things, it is
28 transferred during the service in a form or quantity capable
29 of a fixed or definite price value and listed as a separate
30 charge. The bill provides that property which is entirely
31 consumed in connection with the performance of an auto body
32 repair service will also qualify as "property purchased for
33 resale in connection with the performance of a service", and
34 provides that the property entirely consumed in performance of
35 the service need not be listed as a separate charge.

LSB 5512HV (3) 84

-1-

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1/2



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 13, 2012

H.F. 2439

1 The bill also creates a sales tax exemption for sales of
2 water, electricity, chemicals, solvents, sorbents, or reagents
3 made to a retailer for use in providing taxable vehicle wash
4 and wax services. By operation of Code section 423.6, an item
5 exempt from the imposition of the sales tax is also exempt from
6 the use tax imposed in Code section 423.5.
7 The bill takes effect immediately upon enactment.



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 13, 2012

House File 2440 - Introduced

HOUSE FILE 2440
BY COMMITTEE ON WAYS AND MEANS

(SUCCESSOR TO HF 75)

A BILL FOR

1 An Act exempting the sales price for the use of self-pay
2 washers and dryers from the sales tax.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

TL5B 1105HV (2) 84
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Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 13, 2012

H.F. 2440

1 Section 1. Section 423.3, Code 2011, is amended by adding
2 the following new subsection:

3 NEW SUBSECTION. 96. The sales price for the use of a
4 self-pay washer or dryer.

5 EXPLANATION

6 This bill exempts the sales price for the use of self-pay
7 washers and dryers from the sales tax.

8 By operation of Code section 423.6, an item exempt from the
9 imposition of the sales tax is also exempt from the use tax
10 imposed in Code section 423.5.



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 13, 2012

House File 2441 - Introduced

HOUSE FILE 2441
BY COMMITTEE ON WAYS AND MEANS

(SUCCESSOR TO HF 2070)

A BILL FOR

1 An Act relating to certain property taxes for joint county-city
2 buildings and including applicability provisions.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

TLSB 5480HV (1) 84
md/sc



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 13, 2012

H.F. 2441

1 Section 1. Section 331.424, subsection 1, paragraph
2 a, subparagraph (5), Code 2011, is amended by striking the
3 subparagraph.

4 Sec. 2. Section 331.430, Code 2011, is amended by adding the
5 following new subsection:

6 NEW SUBSECTION. 6. The taxes realized from the tax levy
7 imposed under section 346.27, subsection 22, for a joint
8 county-city building shall be deposited into a separate account
9 in the county's debt service fund for the payment of the
10 annual rent and shall be disbursed pursuant to section 346.27,
11 subsection 22.

12 Sec. 3. Section 346.27, subsection 22, Code 2011, is amended
13 to read as follows:

14 22. When an incorporating unit enters into a lease with
15 the authority, the governing body of the incorporating unit
16 shall provide by ordinance or resolution for the levy and
17 collection of a direct annual tax sufficient to pay the annual
18 rent payable under the lease as and when it becomes due and
19 payable. The tax shall be levied and collected in like manner
20 with the other taxes of the incorporating unit and shall be in
21 addition to all other taxes authorized to be levied by that
22 incorporating unit. This tax shall not be included within and
23 shall be in addition to any statutory limitation of rate or
24 amount for that incorporating unit. The ~~fund~~ taxes realized
25 from the tax levy shall be ~~set aside~~ deposited into an account
26 in the debt service fund of the incorporating unit for the
27 payment of the annual rent and shall not be disbursed for any
28 other purpose until the annual rental has been paid in full.

29 Sec. 4. Section 384.4, Code 2011, is amended by adding the
30 following new subsection:

31 NEW SUBSECTION. 4. The taxes realized from the tax levy
32 imposed under section 346.27, subsection 22, for a joint
33 county-city building shall be deposited into a separate
34 account in the city's debt service fund for the payment of the
35 annual rent and shall be disbursed pursuant to section 346.27,

LSB 5480HV (1) 84

-1-

md/sc

1/4



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 13, 2012

H.F. 2441

1 subsection 22.

2 Sec. 5. Section 384.12, subsection 15, Code 2011, is amended
3 by striking the subsection.

4 Sec. 6. Section 403.19, subsection 2, Code Supplement 2011,
5 is amended to read as follows:

6 2. That portion of the taxes each year in excess of such
7 amount shall be allocated to and when collected be paid into
8 a special fund of the municipality to pay the principal of
9 and interest on loans, moneys advanced to, or indebtedness,
10 whether funded, refunded, assumed, or otherwise, including
11 bonds issued under the authority of section 403.9, subsection
12 1, incurred by the municipality to finance or refinance, in
13 whole or in part, an urban renewal project within the area,
14 and to provide assistance for low and moderate income family
15 housing as provided in section 403.22, ~~except that.~~ However,
16 taxes for the regular and voter-approved physical plant and
17 equipment levy of a school district imposed pursuant to section
18 298.2, ~~and~~ taxes for the payment of bonds and interest of
19 each taxing district ~~must,~~ and taxes imposed under section
20 346.27, subsection 22, related to joint county-city buildings
21 shall be collected against all taxable property within the
22 taxing district without limitation by the provisions of this
23 subsection. However, all or a portion of the taxes for the
24 physical plant and equipment levy shall be paid by the school
25 district to the municipality if the auditor certifies to the
26 school district by July 1 the amount of such levy that is
27 necessary to pay the principal and interest on bonds issued
28 by the municipality to finance an urban renewal project,
29 which bonds were issued before July 1, 2001. Indebtedness
30 incurred to refund bonds issued prior to July 1, 2001, shall
31 not be included in the certification. Such school district
32 shall pay over the amount certified by November 1 and May
33 1 of the fiscal year following certification to the school
34 district. Unless and until the total assessed valuation of
35 the taxable property in an urban renewal area exceeds the



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 13, 2012

H.F. 2441

1 total assessed value of the taxable property in such area as
2 shown by the last equalized assessment roll referred to in
3 subsection 1, all of the taxes levied and collected upon the
4 taxable property in the urban renewal area shall be paid into
5 the funds for the respective taxing districts as taxes by
6 or for the taxing districts in the same manner as all other
7 property taxes. When such loans, advances, indebtedness, and
8 bonds, if any, and interest thereon, have been paid, all moneys
9 thereafter received from taxes upon the taxable property in
10 such urban renewal area shall be paid into the funds for the
11 respective taxing districts in the same manner as taxes on all
12 other property. In those instances where a school district
13 has entered into an agreement pursuant to section 279.64 for
14 sharing of school district taxes levied and collected from
15 valuation described in this subsection and released to the
16 school district, the school district shall transfer the taxes
17 as provided in the agreement.

18 Sec. 7. APPLICABILITY. This Act applies to property taxes
19 due and payable in fiscal years beginning on or after July 1,
20 2013.

21 EXPLANATION

22 Current Code section 346.27 allows a county along with
23 its county seat to establish an authority for the purpose of
24 acquiring, constructing, demolishing, improving, enlarging,
25 equipping, furnishing, repairing, maintaining, and operating
26 a public building for the joint use of the county and city or
27 any school district which is within or is a part of the county
28 or city. The authority then leases the building to the county
29 and city. Current Code section 346.27(22) authorizes each such
30 county and city to levy and collect property tax sufficient
31 to pay the annual rent payable under the lease as and when it
32 becomes due and payable.

33 This bill specifies that taxes realized from the tax levy
34 imposed by a county or city under Code section 346.27(22) for a
35 joint county-city building shall be deposited into a separate

LSB 5480HV (1) 84
md/sc



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 13, 2012

H.F. 2441

1 account in the applicable county or city debt service fund for
2 the payment of the annual rent.

3 The bill also removes such tax levies from inclusion within
4 the county supplemental levy under Code section 331.424 and the
5 city additional tax under Code section 384.12.

6 The bill excludes the property taxes levied and collected
7 for the purpose of Code section 346.27(22) from a division of
8 revenue (tax increment financing) under Code section 403.19.

9 The bill applies to property taxes due and payable in fiscal
10 years beginning on or after July 1, 2013.



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 13, 2012

House File 2442 - Introduced

HOUSE FILE 2442
BY COMMITTEE ON WAYS AND MEANS

(SUCCESSOR TO HF 2334)
(SUCCESSOR TO HSB 617)

A BILL FOR

1 An Act relating to the issuance of hunting and fishing
2 licenses, providing for fees, and including effective date
3 provisions.
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

TLSB 5226HZ (1) 84
av/nh



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 13, 2012

H.F. 2442

1 Section 1. Section 461C.8, subsection 3, Code 2011, is
2 amended to read as follows:

3 3. A hunter who participates in urban deer control pursuant
4 to this section shall be otherwise qualified to hunt deer
5 in this state, ~~have purchase~~ purchase a hunting license ~~and pay that~~
6 includes the wildlife habitat fee, and obtain a special deer
7 hunting license valid only for the dates, locations, and
8 type of deer specified on the license. Special deer hunting
9 licenses issued pursuant to this section shall be available
10 only to residents and shall cost the same as deer hunting
11 licenses issued during general deer seasons. The commission
12 may establish procedures for issuing more than one license
13 per person as necessary to achieve the purposes of urban deer
14 control, and the cost of each additional license shall be ten
15 dollars.

16 Sec. 2. Section 481A.72, Code 2011, is amended to read as
17 follows:

18 **481A.72 Hooks and lines.**

19 1. A person shall not at any time take from the waters
20 of the state any fish, except as otherwise provided in this
21 chapter, except with hook, line, and bait, nor shall a person
22 use more than ~~two~~ three lines nor more than two hooks on each
23 line in still fishing or trolling, and in fly fishing not more
24 than two flies may be used on one line, and in trolling and bait
25 casting not more than two trolling spoons or artificial bait
26 may be used on one line.

27 2. A person shall not leave fish line or lines and hooks in
28 the water unattended by being out of visual sight of the lines
29 and hooks.

30 3. One hook means a single, double, or treble pointed hook,
31 and all hooks attached as a part of an artificial bait or lure
32 shall be counted as one hook.

33 Sec. 3. Section 481A.93, subsection 2, paragraph b,
34 subparagraph (2), Code 2011, is amended to read as follows:

35 (2) The totally blind person is accompanied and aided by a

LSB 5226HZ (1) 84

-1-

av/nh

1/16



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 13, 2012

H.F. 2442

1 person who is at least eighteen years of age and whose vision
2 is not seriously impaired. The accompanying person must ~~have~~
3 purchase a hunting license and ~~pay~~ that includes the wildlife
4 habitat fee as provided in section 483A.1 if applicable. If
5 the accompanying person is not required to have a hunting
6 license the person is not required to pay the wildlife habitat
7 fee. During the hunt, the accompanying adult must be within
8 arm's reach of the totally blind person, and must be able to
9 identify the target and the location of the laser sight beam on
10 the target. A person other than the totally blind person shall
11 not shoot the laser sight-equipped gun or bow.

12 Sec. 4. Section 481C.2A, subsection 1, paragraph d, Code
13 Supplement 2011, is amended to read as follows:

14 d. A producer who enters into a depredation agreement with
15 the department of natural resources shall be issued a set of
16 authorization numbers. Each authorization number authorizes
17 a resident hunter to obtain a depredation license that is
18 valid only for taking antlerless deer on the land designated
19 in the producer's depredation plan. A producer may transfer
20 an authorization number issued to that producer to a resident
21 hunter who has permission to hunt on the land for which the
22 authorization number is valid. An authorization number shall
23 be valid to obtain a depredation license in any season. The
24 provisions of this paragraph shall be implemented by August
25 15, 2008. A transferee who receives an authorization number
26 pursuant to this paragraph "d" shall be otherwise qualified to
27 hunt deer in this state, ~~have~~ purchase a hunting license, ~~pay~~
28 that includes the wildlife habitat fee, and pay the one dollar
29 fee for the purpose of the deer herd population management
30 program.

31 Sec. 5. Section 483A.1, Code 2011, is amended to read as
32 follows:

33 **483A.1 Licenses — fees.**

34 Except as otherwise provided in this chapter, a person
35 shall not fish, trap, hunt, pursue, catch, kill, take in any

LSB 5226HZ (1) 84
av/nh

2/16



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 13, 2012

H.F. 2442

1 manner, use, have possession of, sell, or transport all or a
2 part of any wild animal, bird, game, or fish, the protection
3 and regulation of which is desirable for the conservation of
4 resources of the state, without first obtaining a license for
5 that purpose and the payment of a fee as follows:

- 6 1. Residents:
- 7 a. Fishing license, annual\$ 17.00
- 8 b. Fishing license, three-year\$ 51.00
- 9 c. Fishing license, seven-day\$ 11.50
- 10 d. Fishing license, one-day\$ 7.50
- 11 e. Third line fishing permit, annual\$ 10.00
- 12 ~~b.~~ f. Fishing license, lifetime, sixty-five
13 years or older\$ 50.50
- 14 ~~e.~~ g. Hunting license, annual, not including the
15 wildlife habitat fee\$ 17.00
- 16 oh. Hunting license, annual, including the
17 wildlife habitat fee\$ 28.00
- 18 h. Hunting license, three-year, including
19 the wildlife habitat fees\$ 84.00
- 20 ~~d.~~ i. Hunting license, lifetime, sixty-five
21 years or older\$ 50.50
- 22 j. Combination hunting and fishing license,
23 annual, including the wildlife habitat fee\$ 45.00
- 24 ~~e.~~ k. Deer hunting license\$ 25.50
- 25 ~~f.~~ l. Wild turkey hunting license\$ 22.50
- 26 ~~g.~~ m. Fur harvester license, annual, not including the
27 wildlife habitat fee, sixteen years
28 or older\$ 20.50
- 29 on. Fur harvester license, annual, including
30 the wildlife habitat fee, sixteen years
31 or older\$ 31.50
- 32 ~~h.~~ n. Fur harvester license, annual, not including the
33 wildlife habitat fee, under sixteen
34 years of age\$ 5.50
- 35 ~~i.~~ o. Fur dealer license\$225.50

LSB 5226HZ (1) 84
av/nh



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 13, 2012

H.F. 2442

1	j. <u>p.</u>	Aquaculture unit license	\$ 25.50
2	k. <u>q.</u>	Retail bait dealer license	\$ 30.50
3	l.	Fishing license, seven-day	\$ 11.50
4	m. <u>r.</u>	Trout fishing fee	\$ 10.50
5	n. <u>s.</u>	Game breeder license	\$ 15.50
6	o. <u>t.</u>	Taxidermy license	\$ 15.50
7	p. <u>u.</u>	Falconry license	\$ 20.50
8	q. <u>v.</u>	Wildlife habitat fee	\$ 11.00
9	r. <u>w.</u>	Migratory game bird fee	\$ 8.00
10	s.	Fishing license, one-day	\$ 7.50
11	t. <u>x.</u>	Wholesale bait dealer license	\$125.00
12	u. <u>y.</u>	Boundary waters sport trotline	
13		license, annual	\$ 20.50
14	2.	Nonresidents:	
15	a.	Fishing license, annual	\$ 39.00
16	b.	Fishing license, seven-day	\$ 30.00
17	c.	Fishing license, three-day	\$ 15.50
18	d.	Fishing license, one-day	\$ 8.50
19	e.	Third line fishing permit, annual	\$ 10.00
20	e. <u>f.</u>	Hunting license, annual, including the wildlife	
21		habitat fee, eighteen years of	
22		age or older	\$110.00
23			<u>121.00</u>
24	d. <u>g.</u>	Hunting license, annual, including the wildlife	
25		habitat fee, under eighteen	
26		years of age	\$ 30.00
27			<u>41.00</u>
28	e. <u>h.</u>	Deer hunting license, antlered or	
29		any sex deer	\$295.00
30	f. <u>i.</u>	Preference point issued under	
31		section 483A.7, subsection 3,	
32		paragraph "b", or section 483A.8,	
33		subsection 3, paragraph "e"	\$ 50.00
34	g. <u>j.</u>	Deer hunting license, antlerless	
35		deer only, required with the purchase	

LSB 5226HZ (1) 84
av/nh



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 13, 2012

H.F. 2442

1 of an antlered or any sex deer hunting
2 license\$125.00
3 ~~h.~~ k. Deer hunting license, antlerless
4 deer only\$225.00
5 ~~i.~~ l. Holiday deer hunting license
6 issued under section 483A.8, subsection 6,
7 antlerless deer only\$ 75.00
8 ~~j.~~ m. Wild turkey hunting license\$100.00
9 ~~k.~~ n. Fur harvester license, including the wildlife
10 habitat fee\$200.00
11211.00
12 ~~l.~~ o. Fur dealer license, annual\$501.00
13 op. Fur dealer license, one day,
14 one location.....\$250.00
15 ~~m.~~ p. Location permit for fur dealers.....\$ 56.00
16 ~~n.~~ q. Aquaculture unit license\$ 56.00
17 ~~o.~~ r. Retail bait dealer license ~~or the~~\$125.00
18 or the amount for the same type of license
19 in the nonresident's state, whichever
20 is greater
21 s. Wholesale bait dealer license\$250.00
22 or the amount for the same type of
23 license in the nonresident's state,
24 whichever is greater
25 ~~p.~~ t. Trout fishing fee\$ 13.00
26 ~~q.~~ u. Game breeder license\$ 26.00
27 ~~r.~~ v. Taxidermy license\$ 26.00
28 ~~s.~~ w. Falconry license\$ 26.00
29 ~~t.~~ x. Wildlife habitat fee\$ 11.00
30 ~~u.~~ y. Migratory game bird fee\$ 8.00
31 ~~v.~~ Fishing license, three-day\$ 15.50
32 ~~w.~~ Wholesale bait dealer license\$250.00
33 ~~or the~~ amount for the same type of
34 ~~license in the nonresident's state,~~
35 ~~whichever is greater~~

LSB 5226HZ (1) 84
av/nh

5/16



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 13, 2012

H.F. 2442

1 ~~x.~~ Fishing license, one day\$ 8.50
2 ~~y.~~ z. Boundary waters sport trotline
3 license, annual\$ 40.50
4 Sec. 6. Section 483A.3, Code 2011, is amended to read as
5 follows:
6 **483A.3 Wildlife habitat fee.**
7 1. a. A resident or nonresident person required to have
8 a hunting or fur harvester license shall not hunt or trap
9 unless the person ~~has paid~~ purchases a hunting or fur harvester
10 license that includes the wildlife habitat fee. ~~This section~~
11 ~~shall not apply to residents~~
12 b. Residents who have permanent disabilities or who are
13 younger than sixteen or older than sixty-five years of age
14 may purchase a hunting or fur harvester license that does not
15 include the wildlife habitat fee. ~~Wildlife~~
16 c. Eleven dollars of the fee paid for each resident or
17 nonresident hunting or fur harvester license that includes the
18 wildlife habitat fee shall be designated as a wildlife habitat
19 fee.
20 d. All wildlife habitat fees shall be administered in
21 the same manner as hunting and fur harvester licenses except
22 all revenue derived from wildlife habitat fees shall be used
23 within the state of Iowa for habitat development and shall be
24 deposited in the state fish and game protection fund, except
25 as provided in subsection 2. The revenue may be used for
26 the matching of federal funds. The revenues and any matched
27 federal funds shall be used for acquisition of land, leasing of
28 land, or obtaining of easements from willing sellers for use as
29 wildlife habitats. Notwithstanding the exemption provided by
30 section 427.1, any land acquired with the revenues and matched
31 federal funds shall be subject to the full consolidated levy
32 of property taxes which shall be paid from those revenues.
33 In addition the revenue may be used for the development and
34 enhancement of wildlife lands and habitat areas.
35 e. Not less than fifty percent of all revenue from wildlife

LSB 5226HZ (1) 84
av/nh

6/16



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 13, 2012

H.F. 2442

1 habitat fees shall be used by the commission to enter into
2 agreements with county conservation boards or other public
3 agencies in order to carry out the purposes of this section.
4 The state share of funding of those agreements provided
5 by the revenue from wildlife habitat fees shall not exceed
6 seventy-five percent.

7 2. Up to sixty percent of the revenues from wildlife
8 habitat fees which are not required under subsection 1 to be
9 used by the commission to enter into agreements with county
10 conservation boards or other public agencies may be credited to
11 the wildlife habitat bond fund as provided in section 483A.53.

12 3. Notwithstanding subsections 1 and 2, any increase in
13 wildlife habitat fee revenues received on or after July 1,
14 2007, pursuant to this section as a result of wildlife habitat
15 fee increases pursuant to 2007 Iowa Acts, ch. 194, shall be
16 used by the commission only for the purpose of the game bird
17 habitat development program as provided in section 483A.3B.
18 The commission shall not reduce on an annual basis for these
19 purposes the amount of other funds being expended as of July
20 1, 2007.

21 4. A three-year hunting license purchased pursuant to
22 section 483A.1, subsection 1, paragraph "h", includes the
23 payment of a wildlife habitat fee for each of the three years
24 for which the license is valid and those fees shall be used as
25 provided in this section.

26 Sec. 7. Section 483A.3A, Code 2011, is amended to read as
27 follows:

28 **483A.3A Fish habitat development funding.**

29 Three dollars from each resident and nonresident annual and
30 seven-day fishing license and nine dollars from each resident
31 three-year fishing license sold shall be deposited in the
32 state fish and game protection fund and shall be used within
33 this state for fish habitat development. Not less than fifty
34 percent of this amount shall be used by the commission to enter
35 into agreements with county conservation boards to carry out

LSB 5226HZ (1) 84

-7-

av/nh

7/16



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 13, 2012

H.F. 2442

1 the purposes of this section.

2 Sec. 8. Section 483A.7, subsection 1, Code 2011, is amended
3 to read as follows:

4 1. A resident hunting wild turkey who is required to have
5 a license must ~~have~~ purchase a resident hunting license that
6 includes the wildlife habitat fee in addition to the wild
7 turkey hunting license ~~and must pay the wildlife habitat~~
8 ~~fee~~. Upon application and payment of the required fees for
9 archery-only licenses, a resident archer shall be issued two
10 wild turkey licenses for the spring season.

11 Sec. 9. Section 483A.7, subsection 3, Code 2011, is amended
12 to read as follows:

13 3. a. A nonresident wild turkey hunter is required to
14 ~~have~~ purchase a nonresident hunting license that includes the
15 wildlife habitat fee and a nonresident wild turkey hunting
16 license ~~and pay the wildlife habitat fee~~. The commission
17 shall annually limit to two thousand three hundred licenses
18 the number of nonresidents allowed to have wild turkey hunting
19 licenses. Of the two thousand three hundred licenses, one
20 hundred fifty licenses shall be valid for hunting with muzzle
21 loading shotguns only. The commission shall allocate the
22 nonresident wild turkey hunting licenses issued among the
23 zones based on the populations of wild turkey. A nonresident
24 applying for a wild turkey hunting license must exhibit proof
25 of having successfully completed a hunter safety and ethics
26 education program as provided in section 483A.27 or its
27 equivalent as determined by the department before the license
28 is issued.

29 b. The commission shall assign one preference point to a
30 nonresident whose application for a nonresident wild turkey
31 hunting license is denied due to limitations on the number
32 of nonresident wild turkey hunting licenses available for
33 issuance that year. An additional preference point shall be
34 assigned to that person each subsequent year the person's
35 license application is denied for that reason. A nonresident

LSB 5226HZ (1) 84
av/nh

-8-

8/16



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 13, 2012

H.F. 2442

1 may purchase additional preference points pursuant to section
2 483A.1, subsection 2, paragraph ~~"f"~~ "i". The first nonresident
3 wild turkey hunting license drawing each year shall be made
4 from the pool of applicants with the most preference points
5 and continue to pools of applicants with successively fewer
6 preference points until all available nonresident wild turkey
7 hunting licenses have been issued. If a nonresident applicant
8 receives a wild turkey hunting license, all of the applicant's
9 assigned preference points at that time shall be removed.

10 Sec. 10. Section 483A.8, subsection 1, Code Supplement
11 2011, is amended to read as follows:

12 1. A resident hunting deer who is required to have a hunting
13 license must ~~have~~ purchase a resident hunting license that
14 includes the wildlife habitat fee, in addition to the deer
15 hunting license ~~and must pay the wildlife habitat fee~~. In
16 addition, a resident who purchases a deer hunting license shall
17 pay a one dollar fee that shall be used and is appropriated
18 for the purpose of deer herd population management, including
19 assisting with the cost of processing deer donated to the help
20 us stop hunger program administered by the commission.

21 Sec. 11. Section 483A.8, subsection 3, paragraphs a, b, and
22 e, Code Supplement 2011, are amended to read as follows:

23 a. A nonresident hunting deer is required to ~~have~~ purchase
24 a nonresident hunting license that includes the wildlife
25 habitat fee and a nonresident deer hunting license ~~and must~~
26 ~~pay the wildlife habitat fee~~. In addition, a nonresident who
27 purchases a deer hunting license shall pay a one dollar fee
28 that shall be used and is appropriated for the purpose of deer
29 herd population management, including assisting with the cost
30 of processing deer donated to the help us stop hunger program
31 administered by the commission.

32 b. A nonresident who purchases an antlered or any sex deer
33 hunting license pursuant to section 483A.1, subsection 2,
34 paragraph ~~"e"~~ "h", is required to purchase an antlerless deer
35 only deer hunting license at the same time, pursuant to section



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 13, 2012

H.F. 2442

1 483A.1, subsection 2, paragraph ~~"g"~~ "j".

2 e. The commission shall assign one preference point to a
3 nonresident whose application for a nonresident antlered or any
4 sex deer hunting license is denied due to limitations on the
5 number of nonresident antlered or any sex deer hunting licenses
6 available for issuance that year. An additional preference
7 point shall be assigned to that person each subsequent year
8 the person's license application is denied for that reason. A
9 nonresident may purchase additional preference points pursuant
10 to section 483A.1, subsection 2, paragraph ~~"f"~~ "i". The first
11 nonresident antlered or any sex deer hunting license drawing
12 each year shall be made from the pool of applicants with the
13 most preference points and continue to pools of applicants
14 with successively fewer preference points until all available
15 nonresident antlered or any sex deer hunting licenses have been
16 issued. If a nonresident applicant receives an antlered or
17 any sex deer hunting license, all of the applicant's assigned
18 preference points at that time shall be removed.

19 Sec. 12. Section 483A.8, subsection 6, Code Supplement
20 2011, is amended to read as follows:

21 6. The commission shall provide by rule for the annual
22 issuance to a nonresident of a nonresident antlerless deer
23 hunting license that is valid for use only during the period
24 beginning on December 24 and ending at sunset on January 2
25 of the following year and costs seventy-five dollars. A
26 nonresident hunting deer with a license issued under this
27 subsection shall be otherwise qualified to hunt deer in this
28 state and shall have purchase a nonresident hunting license,
29 pay that includes the wildlife habitat fee, and pay the one
30 dollar fee for the purpose of deer herd population management
31 as provided in subsection 3. Pursuant to this subsection, the
32 commission shall make available for issuance only the remaining
33 nonresident antlerless deer hunting licenses allocated under
34 subsection 3 that have not yet been issued for the current
35 year's nonresident antlerless deer hunting seasons.

LSB 5226HZ (1) 84

-10-

av/nh

10/16



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 13, 2012

H.F. 2442

1 Sec. 13. Section 483A.8B, Code 2011, is amended to read as
2 follows:

3 **483A.8B Senior crossbow deer hunting licenses.**

4 1. A person who is a resident and who is seventy years
5 of age or older may be issued one special senior statewide
6 antlerless deer only crossbow deer hunting license to hunt deer
7 during bow season as established by rule by the commission. A
8 person who obtains a license to hunt deer under this section
9 is not required to pay the wildlife habitat fee but shall be
10 otherwise qualified to hunt deer in this state and shall ~~have~~
11 purchase a resident hunting license that does not include the
12 wildlife habitat fee.

13 2. A person may obtain a license under this section in
14 addition to a statewide antlered or any sex deer hunting bow
15 season license. Season dates, shooting hours, limits, license
16 quotas, and other regulations for this license shall be the
17 same as set forth by the commission by rule for bow season deer
18 hunts.

19 Sec. 14. Section 483A.8C, subsection 2, Code 2011, is
20 amended to read as follows:

21 2. A person who obtains a deer hunting license under this
22 section is not required to pay the wildlife habitat fee but
23 shall purchase a deer hunting license and hunting license
24 that does not include the wildlife habitat fee, be otherwise
25 qualified to hunt, and pay a one dollar fee that shall be used
26 and is appropriated for the purpose of deer herd population
27 management, including assisting with the cost of processing
28 deer donated to the help us stop hunger program administered
29 by the commission.

30 Sec. 15. Section 483A.9A, Code 2011, is amended by adding
31 the following new subsection:

32 NEW SUBSECTION. 3. The commission shall offer to residents
33 a combination package of an annual fishing license and an
34 annual hunting license, as provided in section 483A.1,
35 subsection 1, the cost of which includes the wildlife habitat

LSB 5226HZ (1) 84

-11-

av/nh

11/16



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 13, 2012

H.F. 2442

1 fee.

2 Sec. 16. Section 483A.17, Code 2011, is amended to read as
3 follows:

4 **483A.17 Tenure of license.**

5 Every license, except as otherwise provided in this chapter,
6 is valid from the date issued to January 10 of the succeeding
7 calendar year for which it is issued. A license shall not be
8 issued prior to December 15 for the subsequent calendar year
9 except for a three-year fishing license or a three-year hunting
10 license issued to a resident pursuant to section 483A.1,
11 subsection 1.

12 Sec. 17. Section 483A.24, subsections 3 and 4, Code
13 Supplement 2011, are amended to read as follows:

14 3. The director shall provide up to seventy-five
15 nonresident deer hunting licenses for allocation as requested
16 by a majority of a committee consisting of the majority leader
17 of the senate, speaker of the house of representatives, and
18 director of the economic development authority, or their
19 designees. The licenses provided pursuant to this subsection
20 shall be in addition to the number of nonresident licenses
21 authorized pursuant to section 483A.8. The purpose of the
22 special nonresident licenses is to allow state officials and
23 local development groups to promote the state and its natural
24 resources to nonresident guests and dignitaries. Photographs,
25 videotapes, or any other form of media resulting from the
26 hunting visitation shall not be used for political campaign
27 purposes. The nonresident licenses shall be issued without
28 application upon payment of purchase of a nonresident hunting
29 license that includes the wildlife habitat fee and the purchase
30 of a nonresident deer hunting license fee and the wildlife
31 habitat fee. The licenses are valid in all zones open to deer
32 hunting. The hunter safety and ethics education certificate
33 requirement pursuant to section 483A.27 is waived for a
34 nonresident issued a license pursuant to this subsection.

35 4. The director shall provide up to twenty-five nonresident

LSB 5226HZ (1) 84

-12-

av/nh

12/16



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 13, 2012

H.F. 2442

1 wild turkey hunting licenses for allocation as requested by
2 a majority of a committee consisting of the majority leader
3 of the senate, speaker of the house of representatives, and
4 director of the economic development authority, or their
5 designees. The licenses provided pursuant to this subsection
6 shall be in addition to the number of nonresident licenses
7 authorized pursuant to section 483A.7. The purpose of the
8 special nonresident licenses is to allow state officials and
9 local development groups to promote the state and its natural
10 resources to nonresident guests and dignitaries. Photographs,
11 videotapes, or any other form of media resulting from the
12 hunting visitation shall not be used for political campaign
13 purposes. The nonresident licenses shall be issued without
14 application upon ~~payment of purchase of a nonresident hunting~~
15 ~~license that includes the wildlife habitat fee and the purchase~~
16 ~~of a nonresident wild turkey hunting license fee and the~~
17 ~~wildlife habitat fee.~~ The licenses are valid in all zones open
18 to wild turkey hunting. The hunter safety and ethics education
19 certificate requirement pursuant to section 483A.27 is waived
20 for a nonresident issued a license pursuant to this subsection.
21 Sec. 18. Section 483A.24, subsection 10, paragraph d, Code
22 Supplement 2011, is amended to read as follows:
23 d. A nonresident who receives a special license pursuant to
24 this subsection shall purchase a hunting license that includes
25 the wildlife habitat fee and the applicable nonresident turkey
26 or deer hunting license, ~~and pay the wildlife habitat fee,~~
27 but is not required to complete the hunter safety and ethics
28 education course if the person is accompanied and aided by a
29 person who is at least eighteen years of age. The accompanying
30 person must be qualified to hunt and have a hunting license
31 that includes the wildlife habitat fee. During the hunt,
32 the accompanying adult must be within arm's reach of the
33 nonresident licensee.
34 Sec. 19. Section 483A.24B, subsection 6, Code 2011, is
35 amended to read as follows:

LSB 5226HZ (1) 84
av/nh

13/16



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 13, 2012

H.F. 2442

1 6. A person who receives a license pursuant to this section
2 shall be otherwise qualified to hunt deer in this state and
3 shall ~~have~~ purchase a hunting license ~~and pay~~ that includes the
4 wildlife habitat fee.

5 Sec. 20. Section 483A.28, Code 2011, is amended by adding
6 the following new subsection:

7 NEW SUBSECTION. 4. Any person who is issued a valid fishing
8 license pursuant to this chapter may fish with a third line as
9 provided in section 481A.72 only upon the annual purchase of a
10 third line fishing permit as provided in section 483A.1.

11 Sec. 21. Section 484B.10, subsections 2 and 3, Code 2011,
12 are amended to read as follows:

13 2. Waterfowl shall not be shot over any area where
14 pen-reared mallards may serve as live decoys for wild
15 waterfowl. All persons hunting game birds or ungulates upon a
16 licensed hunting preserve shall secure a hunting license ~~to do~~
17 ~~so~~ that includes the wildlife habitat fee in accordance with
18 the game laws of Iowa, with the exception that an unlicensed
19 person may secure an annual hunting preserve license restricted
20 to hunting preserves only for a license fee of five dollars.
21 All persons who hunt on hunting preserves shall pay the
22 wildlife habitat fee.

23 3. A nonresident youth under sixteen years of age may hunt
24 game birds on a licensed hunting preserve upon securing an
25 annual hunting preserve license restricted to hunting preserves
26 only for a license fee of five dollars and payment of the
27 wildlife habitat fee. A nonresident youth is not required
28 to complete the hunter safety and ethics education course to
29 obtain a hunting preserve license pursuant to this subsection
30 if the youth is accompanied by a person who is at least
31 eighteen years of age, is qualified to hunt, and possesses a
32 valid hunting license that includes the wildlife habitat fee.
33 During the hunt, the accompanying adult must be within arm's
34 reach of the nonresident youth.

35 Sec. 22. EFFECTIVE DATE. This Act takes effect January 1,

LSB 5226HZ (1) 84

-14-

av/nh

14/16



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 13, 2012

H.F. 2442

1 2013.

2 EXPLANATION

3 This bill relates to the issuance of hunting and fishing
4 licenses.

5 Code section 481A.72 is amended to allow a person to use
6 three instead of two lines while fishing. Code section 483A.1
7 is amended to provide for the annual purchase of a third line
8 fishing permit costing \$10 by a resident or nonresident fisher.
9 Code section 483A.28 is amended to provide that a person who
10 fishes with a third line must annually purchase a third line
11 fishing permit.

12 Code section 483A.1 is also amended to provide for three
13 new license options for residents. A new three-year fishing
14 license is available for residents at a cost of \$51. Code
15 section 483A.3A is amended to specify that \$9 from each
16 three-year fishing license must be used for fish habitat
17 development.

18 A new three-year hunting license, including the wildlife
19 habitat fees, is available for \$84. Code section 483A.3 is
20 amended to specify that of the \$84 for this license, \$33 is
21 allocated to wildlife habitat fees.

22 A new annual combination hunting and fishing license,
23 including the wildlife habitat fee, is available for \$45. Code
24 section 483A.9A specifies that the package includes an annual
25 fishing license, an annual hunting license, and payment of the
26 wildlife habitat fee.

27 Changes are made to Code section 483A.1(1) to include
28 payment of the wildlife habitat fee in resident hunting and fur
29 harvester license fees. However, such licenses are available
30 without inclusion of the wildlife habitat fee for purchase by
31 residents who are permanently disabled, or are younger than 16
32 or older than 65 years of age and are not required to pay the
33 wildlife habitat fee. Code section 483A.1(2) is also amended
34 to include payment of the wildlife habitat fee in nonresident
35 hunting and fur harvester license fees. Also, a new one day,

LSB 5226HZ (1) 84

-15-

av/nh

15/16



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 13, 2012

H.F. 2442

1 one location, nonresident fur dealer license is available for
2 \$250.

3 Code section 483A.3 is amended to specify that \$11 of the fee
4 paid for each resident or nonresident hunting or fur harvester
5 license that includes the wildlife habitat fee is designated as
6 a wildlife habitat fee and shall be administered as a wildlife
7 habitat fee.

8 Code section 483A.17 is amended to specify that a three-year
9 fishing license or a three-year hunting license is not subject
10 to the requirement that a license cannot be issued prior to
11 December 15 for the subsequent year.

12 Conforming changes regarding inclusion of the wildlife
13 habitat fee in hunting and fur harvester license fees are made
14 in other Code sections.

15 Technical changes are also made to Code section 483A.1 to
16 group similar types of licenses together and to insert a word
17 that was inadvertently deleted. Conforming changes were made
18 in Code sections 483A.7 and 483A.8.



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 13, 2012

House File 2443 - Introduced

HOUSE FILE 2443
BY LUKAN

A BILL FOR

1 An Act relating to economic development by establishing a
2 headquarters relocation tax credit program within the
3 economic development authority for corporations that
4 relocate headquarters to the state and including effective
5 date and applicability provisions.
6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

TLSB 5368YH (1) 84
mm/sc



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 13, 2012

H.F. 2443

1 Section 1. NEW SECTION. 15E.371 **Headquarters relocation**
2 **tax credit program.**

3 1. For purposes of this section, unless the context
4 otherwise requires:

5 *a. "Corporate headquarters"* means the building or buildings
6 where the principal offices of the principal executive officers
7 of an eligible corporation are located.

8 *b. "Eligible corporation"* means a corporation that is
9 engaged in either interstate or intrastate commerce, that
10 maintains corporate headquarters at a location without
11 this state, that has not previously maintained corporate
12 headquarters at a location within this state, and that commits
13 contractually to relocating its corporate headquarters to this
14 state.

15 *c. "Qualifying project"* means the relocation of the
16 corporate headquarters of an eligible corporation from a
17 location without this state to a location within this state.

18 *d. (1) "Relocation costs"* means reasonable and necessary
19 expenses incurred by an eligible corporation for a qualifying
20 project. The term includes:

21 (a) Moving costs and related expenses.

22 (b) The purchase of new or replacement equipment.

23 (c) Capital investment costs.

24 (d) Property assembly and development costs, including:

25 (i) The purchase, lease, or construction of buildings and
26 land.

27 (ii) Infrastructure improvements.

28 (iii) Site development costs.

29 (2) *"Relocation costs"* does not include any cost that
30 does not directly result from relocation of the corporate
31 headquarters from a location without this state to a location
32 within this state.

33 2. A tax credit shall be allowed against the taxes imposed
34 in chapter 422, division III for an eligible corporation that
35 completes a qualifying project and incurs relocation costs.

LSB 5368YH (1) 84

-1-

mm/sc

1/4



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 13, 2012

H.F. 2443

1 The credit shall be an amount equal to fifty percent of the
2 relocation costs of the eligible corporation that completes the
3 qualifying project.

4 3. To receive the headquarters relocation tax credit, an
5 eligible corporation must submit an application and proof of
6 the eligible corporation's relocation costs to the authority,
7 made in the manner and form prescribed by the authority. The
8 authority shall audit all costs submitted by the eligible
9 corporation and determine which costs qualify as relocation
10 costs. In determining whether a cost qualifies as a relocation
11 cost, the authority shall consider whether an expense would
12 likely have been incurred by the eligible corporation if the
13 eligible corporation had not relocated from its original
14 location.

15 4. After determining the relocation costs of an eligible
16 corporation, the authority shall issue to the eligible
17 corporation a tax certificate for the headquarters relocation
18 tax credit. The certificate shall contain the eligible
19 corporation's name, address, tax identification number, the
20 amount of the credit, the tax year for which the certificate
21 applies, and an expiration date for the certificate. The
22 eligible corporation must file the tax credit certificate with
23 the eligible corporation's income tax return in order to claim
24 the tax credit.

25 5. The tax credit, unless otherwise void, shall be
26 accepted by the department of revenue as payment for taxes
27 imposed pursuant to chapter 422, division III, subject to any
28 conditions or restrictions placed by the authority upon the
29 face of the tax credit and subject to the limitations of this
30 section.

31 6. The tax credits issued under this section are not
32 transferrable to any person or entity.

33 7. Any credit in excess of the tax liability is not
34 refundable, but the excess for the tax year may be credited to
35 the tax liability for the following year.

LSB 5368YH (1) 84

-2-

mm/sc

2/4



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 13, 2012

H.F. 2443

1 8. The authority, in consultation with the department of
2 revenue, shall adopt rules pursuant to chapter 17A for the
3 administration of this section, including rules for entering
4 into contracts with eligible corporations that wish to relocate
5 corporate headquarters to this state and rules for auditing and
6 determining relocation costs.

7 Sec. 2. Section 422.33, Code Supplement 2011, is amended by
8 adding the following new subsection:

9 NEW SUBSECTION. 29. The taxes imposed under this division
10 shall be reduced by a headquarters relocation tax credit
11 allowed under section 15E.371.

12 Sec. 3. EFFECTIVE DATE. This Act takes effect January 1,
13 2013.

14 Sec. 4. APPLICABILITY. This Act applies to qualifying
15 projects started and relocation costs incurred on or after
16 January 1, 2013.

17 EXPLANATION

18 This bill provides a credit against the corporate income tax
19 for a corporation that relocates its corporate headquarters
20 to this state. In order to be eligible for the tax credit,
21 the corporation must have its corporate headquarters outside
22 of Iowa, must not have previously maintained corporate
23 headquarters within Iowa, and must contractually agree to
24 relocate its headquarters to Iowa.

25 The credit is equal to 50 percent of the relocation costs
26 of a corporation that moves its corporate headquarters to this
27 state. "Relocation costs" are those that directly result
28 from relocation of the corporate headquarters and include
29 moving costs; the purchase of new or replacement equipment;
30 capital investment costs; costs related to the purchase,
31 lease or construction of buildings and land; infrastructure
32 improvements; and site development costs.

33 To receive the tax credit, a corporation must submit an
34 application and proof of its costs to the economic development
35 authority. The economic development authority is required

LSB 5368YH (1) 84

-3-

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3/4



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 13, 2012

H.F. 2443

1 to audit all the submitted costs and determine which qualify
2 for the credit. The economic development authority shall
3 then issue a tax credit certificate to the corporation, which
4 certificate shall be attached to the corporation's tax return.
5 The tax credits are nontransferable and nonrefundable, but may
6 be carried forward to the following year.
7 The authority, in consultation with the department of
8 revenue, shall adopt rules for the administration of this
9 credit.
10 The bill takes effect January 1, 2013, and applies to
11 qualifying projects started and relocation costs incurred on
12 or after that date.



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 13, 2012

House Resolution 127 - Introduced

HOUSE RESOLUTION NO. 127

BY KELLEY, BYRNES, SWEENEY, ISENHART, MUHLBAUER, and
COWNIE

1 A Resolution in support of extending the federal
2 production tax credit for wind energy.

3 WHEREAS, Iowa is the second largest producer of wind
4 energy in the nation, just behind Texas; and

5 WHEREAS, Iowa leads the nation in wind generation as
6 a percentage of total power output; and

7 WHEREAS, it has been estimated that 75 percent of
8 Iowa is suitable for wind energy development with an
9 estimated total wind resource of 570,000 megawatts; and

10 WHEREAS, 1,000 megawatts of energy can power 250,000
11 homes and is equivalent to removing the emissions
12 placed in the atmosphere by 682,000 cars in the state
13 in one year's time; and

14 WHEREAS, the wind energy industry in Iowa
15 currently employs at least 3,000 full-time workers in
16 manufacturing, operations, and maintenance with an
17 estimated annual payroll in excess of \$70 million; and

18 WHEREAS, the federal production tax credit for wind
19 energy provides a 2.2 percent per kilowatt-hour tax
20 credit for the first 10 years of electricity production
21 from utility-scale wind turbines; and

22 WHEREAS, the production tax credit has repeatedly
23 been allowed to sunset and then extended since original
24 enactment, which has contributed to a boom-bust cycle
25 of development that has been detrimental to the wind
26 industry; and

27 WHEREAS, the federal production tax credit for

LSB 5811YH (6) 84

-1- rn/nh

1/2



**Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 13, 2012**

H.R. 127

1 wind energy is currently set to expire at the end of
2 2012; NOW THEREFORE,

3 BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, That
4 the House of Representatives supports the extension of
5 the federal production tax credit applicable to wind
6 energy; and

7 BE IT FURTHER RESOLVED, That copies of this
8 resolution be sent to the members of Iowa's
9 congressional delegation and to the President of the
10 United States.

LSB 5811YH (6) 84

-2-

rn/nh

2/2



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 13, 2012

House Resolution 128 - Introduced

HOUSE RESOLUTION NO. 128

BY J. TAYLOR, THOMAS, WITTNEBEN, KEARNS, THEDE,
WOLFE, JACOBY, BERRY, H. MILLER, LYKAM, COHOON,
M. SMITH, HEDDENS, KRESSIG, GASKILL, KAJTAZOVIC,
HANSON, HALL, T. OLSON, WENTHE, OLDSO, PETERSEN,
MURPHY, HUNTER, R. OLSON, STECKMAN, HAGER, PAULSEN,
FRY, BALTIMORE, PETTENGILL, WINCKLER, FORRISTALL,
KLEIN, PAUSTIAN, MASSIE, SODERBERG, SANDS,
HEATON, DRAKE, GARRETT, BRANDENBURG, RAYHONS,
BAUDLER, WATTS, HUSEMAN, LOFGREN, ALONS, CHAMBERS,
DE BOEF, TJEPKES, UPMEYER, SCHULTE, KOESTER,
SCHULTZ, ROGERS, HAGENOW, PEARSON, SHAW, J. SMITH,
COWNIE, BYRNES, GRASSLEY, LUKAN, S. OLSON, MOORE,
JORGENSEN, SWEENEY, DOLECHECK, IVERSON, WINDSCHITL,
WORTHAN, HANUSA, RASMUSSEN, VAN ENGELHOFEN, and
ARNOLD

1 A Resolution urging Congress and the President of the
2 United States to protect Iowa's Air National Guard
3 units from additional budget cuts.
4 WHEREAS, state militias, now known as the national
5 guard, have been a bulwark of this nation's military
6 defense system since 1776; and
7 WHEREAS, since 1941, the Iowa Air National Guard has
8 been an integral part of our nation's defense and our
9 state's emergency response system; and
10 WHEREAS, defense budget cuts ranging from \$450
11 billion up to \$1 trillion over the next decade will
12 force each branch of the military service to reexamine
13 its balance of forces in the active duty, guard, and
14 reserve branches; and

LSB 6055HH (8) 84

-1- jr/rj

1/2



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 13, 2012

H.R. 128

15 WHEREAS, the United States Air Force has announced
16 it wants to remove 21 F-16 fighter jets of the 132nd
17 Fighter Wing from the Des Moines Air National Guard
18 base to meet these budget cuts, eliminating over 500
19 Iowa jobs; and

20 WHEREAS, over the last 68 years, the 132nd Fighter
21 Wing has participated in numerous actions including
22 World War II, the Korean Conflict, and many of the
23 support functions of Desert Shield/Desert Storm,

1 Enduring Freedom, and Iraqi Freedom; and

2 WHEREAS, the 132nd Fighter Wing has received
3 numerous awards, including eight Air Force Outstanding
4 Unit Awards, and has participated in exercises and
5 deployments worldwide; NOW THEREFORE,

6 BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, That
7 the House of Representatives urges the President of
8 the United States, the United States Congress, and the
9 United States Secretary of Defense, to protect the Iowa
10 Air National Guard from any future reductions or other
11 budget cuts; and

12 BE IT FURTHER RESOLVED, That an official copy of
13 this resolution be transmitted to the President of the
14 United States, the United States Secretary of Defense,
15 and to members of the Iowa congressional delegation.

LSB 6055HH (8) 84

-2- jr/rj

2/2



**Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 13, 2012**

House Resolution 129 - Introduced

HOUSE RESOLUTION NO. 129

BY HAGER

1 A Resolution to urge the United States Senate to enact
2 the Farm Dust Regulation Prevention Act of 2011.
3 WHEREAS, there is uncertainty regarding possible
4 plans by the United States Environmental Protection
5 Agency (EPA) to revise the national primary and
6 secondary ambient air quality standards (40 C.F.R. pt.
7 50) as those standards could be applied to particulate
8 matter comprised of blowing dirt and naturally
9 occurring organic material common in rural areas and
10 including dust from farming operations and country
11 roads; and
12 WHEREAS, during the 112th Congress, the Farm Dust
13 Regulation Prevention Act of 2011, H.R. 1633, was
14 introduced, with 121 cosponsors, preventing the United
15 States EPA from proposing, finalizing, implementing,
16 or enforcing any regulation revising the national
17 primary and secondary ambient air quality standards on
18 particulate matter from such dust; and
19 WHEREAS, on December 8, 2011, the United States
20 House of Representatives passed the Farm Dust
21 Regulation Prevention Act of 2011 by a vote of 268
22 voting aye and 150 voting nay, which included aye
23 votes by all of Iowa's U.S. House of Representatives
24 delegation; and
25 WHEREAS, on December 13, 2011, H.R. 1633 was placed
26 on the United States Senate Legislative Calendar and
27 has received no further action by the U.S. Senate; and
28 WHEREAS, the Honorable Senator Mike Johanns, with

LSB 5526YH (3) 84

-1-

da/rj

1/3



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 13, 2012

H.R. 129

1 26 cosponsors, including the Honorable Senator Chuck
2 Grassley, introduced S. 1528, the Senate version of the
3 Farm Dust Regulation Prevention Act of 2011, which on
4 September 8, 2011, was referred to the Committee on
5 Environment and Public Works; NOW THEREFORE,
6 BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES,
7 That the Iowa House of Representatives urges the
8 United States Senate to enact the Farm Dust Regulation
9 Prevention Act of 2011 with all possible deliberation
10 in order to effectuate this important congressional
11 protection against an unnecessary intrusion into
12 rural life and agriculture at a time when the world
13 increasingly looks to the American farmer to produce
14 its food and fiber; and
15 BE IT FURTHER RESOLVED, That a copy of this
16 resolution be delivered to the Honorable Lisa P.
17 Jackson, Administrator, United States Environmental
18 Protection Agency; and
19 BE IT FURTHER RESOLVED, That a copy of this
20 resolution be delivered to the Honorable Senator Harry
21 Reid, Majority Leader of the United States Senate, and
22 the Honorable Senator Mitch McConnell, Minority Leader
23 of the United States Senate; and
24 BE IT FURTHER RESOLVED, That a copy of this
25 resolution be delivered to the Honorable Senator
26 Barbara Boxer, Chairman of the United States Senate
27 Committee on Environment and Public Works, and the
28 Honorable Senator James M. Inhofe, Ranking Member of
29 the United States Senate Committee on Environment and
30 Public Works; and

LSB 5526YH (3) 84

-2-

da/rj

2/3



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 13, 2012

H.R. 129

1 BE IT FURTHER RESOLVED, That a copy of this
2 resolution be delivered to each member of Iowa's
3 congressional delegation.



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 13, 2012

Senate File 2249

S-5080

- 1 Amend Senate File 2249, as amended, passed, and
2 reprinted by the Senate, as follows:
3 1. Page 1, after line 32 by inserting:
4 <Sec. _____. Section 322.5, subsection 2, paragraph
5 a, subparagraph (2), Code 2011, is amended to read as
6 follows:
7 (2) Display, offer for sale, and negotiate sales
8 of new motor vehicles at fair events, as defined in
9 chapter 174, vehicle shows, and vehicle exhibitions,
10 upon application for and receipt of a temporary permit
11 issued by the department. Such activities may only be
12 conducted at fair events, vehicle shows, and vehicle
13 exhibitions that are held in the ~~county of the motor~~
14 ~~vehicle dealer's principal place of business~~ community,
15 as defined in section 322A.1, for the vehicles that
16 are displayed and offered for sale. A sale of a
17 motor vehicle by a motor vehicle dealer shall not be
18 completed and an agreement for the sale of a motor
19 vehicle shall not be signed at a fair event, vehicle
20 show, or vehicle exhibition. All such sales shall be
21 consummated at the motor vehicle dealer's principal
22 place of business.>
23 2. Title page, lines 1 and 2, by striking
24 <motorcycle dealer activities at> and inserting <motor
25 vehicle dealer activities at fair events, vehicle
26 shows, vehicle exhibitions, and>
27 3. By renumbering as necessary.

SF2249.5014.H (1) 84

-1-

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1/1



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 13, 2012

House File 2335

S-5081

1 Amend the amendment, S-5056, to House File 2335,
2 as amended, passed, and reprinted by the House, as
3 follows:
4 1. Page 16, after line 48 by inserting:
5 <Sec. _____. DEPARTMENT OF PUBLIC SAFETY BUILDING
6 DESIGNATION. The state office building located at
7 215 east seventh street, which houses the department
8 of public safety, shall be named after Oran Pape, the
9 first member of the state patrol killed in the line of
10 duty and the only member of the state patrol to have
11 been murdered. An appropriate commemorative plaque
12 shall be placed near the entrance of the state building
13 in recognition of Oran Pape and his sacrifice as a
14 member of the state patrol.>

TOM HANCOCK

S5056.5002 (1) 84

-1-

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1/1



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 13, 2012

Senate File 2294

S-5082

1 Amend Senate File 2294 as follows:

2 1. By striking everything after the enacting clause
3 and inserting:

4 <Section 1. Section 543B.7, subsection 5, Code
5 2011, is amended to read as follows:

6 5. The acts of an auctioneer who is not a licensee
7 in conducting a public sale or auction, as provided in
8 this subsection.

9 a. The auctioneer's role must be limited to
10 establishing the time, place, and method of an auction;
11 advertising the auction including which shall be
12 limited to a brief description of the property for
13 auction and the time and place for the auction; and
14 crying the property at the auction.

15 (1) The auctioneer shall provide in any advertising
16 the name and address of the real estate broker who is
17 providing brokerage services for the transaction and
18 the name of the real estate broker, or attorney, or
19 closing company who is responsible for closing the sale
20 of the property.

21 (2) The real estate broker providing brokerage
22 services shall be present at the time of the auction
23 and, if found to be in violation of this subsection,
24 shall be subject to a civil penalty of ~~two~~ one thousand
25 five hundred dollars.

26 (3) If the auctioneer closes or attempts to close
27 the sale of the property or otherwise engages in acts
28 defined in sections 543B.3 and 543B.6, or paragraph
29 "b" of this subsection, then the requirements of this
30 chapter do apply to the auctioneer.

31 b. An auctioneer who is not a licensee is expressly
32 prohibited from engaging in the following acts:

33 (1) Contacting the public regarding real property
34 beyond that which is permitted under this section with
35 the purpose of securing or facilitating the sale of
36 such real property.

37 (2) Independently showing property or hosting open
38 houses.

39 (3) Making material and substantive representations
40 regarding title, financing, or closings.

41 (4) Discussing or explaining a contract, lease,
42 agreement, or other real estate document, other than
43 the contract for conducting the auction or other acts
44 permitted by this subsection, with a prospective buyer,
45 owner, or tenant of the real property, with the purpose
46 of securing or facilitating the sale of such real
47 property.

48 (5) Collecting or holding deposit moneys, rent,
49 other moneys, or anything of value received from the
50 owner of real property or from a prospective buyer

SF2294.4997 (1) 84

-1-

rn/nh

1/2



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 13, 2012

1 or tenant, other than fees, commissions, or other
2 consideration paid in exchange for conducting the
3 auction or other acts permitted by this subsection,
4 with the purpose of securing or facilitating the sale
5 of such real property.
6 (6) Providing owners of real property or
7 prospective buyers or tenants with advice,
8 recommendations, or suggestions regarding the sale,
9 purchase, exchange, rental, or leasing of real
10 property, except with regard to acts permitted under
11 this subsection.
12 (7) Falsely representing in any manner, orally or
13 in writing, that the auctioneer is a licensee.
14 c. If an investigation pursuant to this chapter
15 reveals that an auctioneer has violated this subsection
16 or has assumed to act in the capacity of a real
17 estate broker or real estate salesperson, the real
18 estate commission ~~may~~ shall issue a cease and desist
19 order, and shall ~~issue a warning letter notifying the~~
20 ~~auctioneer of the violation~~ impose a penalty of one
21 thousand dollars for the first offense, and impose a
22 penalty of up to the greater of ten thousand dollars
23 or ten percent of the real estate sales price for each
24 subsequent violation.>
25 2. Title page, by striking lines 1 through 3 and
26 inserting <An Act relating to the authorized activities
27 of auctioneers in conducting a public sale or auction
28 of real estate, and providing penalty provisions.>

THOMAS RIELLY



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 13, 2012

Senate File 2260

S-5083

- 1 Amend Senate File 2260, as passed by the Senate, as
- 2 follows:
- 3 1. Page 5, by striking lines 3 through 13.
- 4 2. Page 6, by striking lines 9 through 25.
- 5 3. By renumbering as necessary.



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 13, 2012

House File 2337

S-5084

1 Amend House File 2337, as amended, passed, and
2 reprinted by the House, as follows:
3 1. By striking everything after the enacting clause
4 and inserting:
5 <Section 1. 2011 Iowa Acts, chapter 130, section
6 48, is amended to read as follows:
7 SEC. 48. DEPARTMENT OF CULTURAL AFFAIRS. There
8 is appropriated from the general fund of the state to
9 the department of cultural affairs for the fiscal year
10 beginning July 1, 2012, and ending June 30, 2013, the
11 following amounts, or so much thereof as is necessary,
12 to be used for the purposes designated:
13 1. ADMINISTRATION
14 For salaries, support, maintenance, miscellaneous
15 purposes, and for not more than the following full-time
16 equivalent positions for the department:
17 \$ 85,907
18 171,813
19 FTEs 74.50
20 The department of cultural affairs shall coordinate
21 activities with the tourism office of the department of
22 economic development authority to promote attendance
23 at the state historical building and at this state's
24 historic sites.
25 Full-time equivalent positions authorized under
26 this subsection shall be funded, in full or in part,
27 using moneys appropriated under this subsection and
28 subsections 3 through 7.
29 2. COMMUNITY CULTURAL GRANTS
30 For planning and programming for the community
31 cultural grants program established under section
32 303.3:
33 \$ 86,045
34 172,090
35 3. HISTORICAL DIVISION
36 For the support of the historical division:
37 \$ 1,383,851
38 2,767,701
39 4. HISTORIC SITES
40 For the administration and support of historic
41 sites:
42 \$ 213,199
43 426,398
44 5. ARTS DIVISION
45 For the support of the arts division:
46 \$ 466,882
47 933,764
48 6. IOWA GREAT PLACES
49 For the Iowa great places program established under
50 section 303.3C:

HF2337.4922 (2) 84

-1-

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1/16



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 13, 2012

1 \$ 75,000
2 150,000
3 7. ARCHIVE IOWA GOVERNORS' RECORDS
4 For archiving the records of Iowa governors:
5 \$ 32,967
6 65,933
7 8. RECORDS CENTER RENT
8 For payment of rent for the state records center:
9 \$ 113,622
10 227,243
11 9. BATTLE FLAGS
12 For continuation of the project recommended by the
13 Iowa battle flag advisory committee to stabilize the
14 condition of the battle flag collection:
15 \$ 30,000
16 60,000
17 10. FILM OFFICE
18 For salaries, support, maintenance, miscellaneous
19 purposes, and for not more than the following full-time
20 equivalent positions:
21 \$ 200,000
22 FTEs 2.00
23 11. CULTURAL TRUST FUND
24 For deposit in the Iowa cultural trust fund created
25 in section 303A.4:
26 \$ 200,000
27 The board of trustees of the Iowa cultural trust
28 shall annually prepare a report for submission to the
29 governor, the general assembly, and the legislative
30 services agency regarding the activities, projects,
31 and programs funded with moneys allocated under this
32 subsection. This report shall be submitted each year
33 by January 15.
34 Sec. 2. 2011 Iowa Acts, chapter 130, section 49, is
35 amended to read as follows:
36 SEC. 49. GOALS AND ACCOUNTABILITY — ECONOMIC
37 DEVELOPMENT.
38 1. For the fiscal year beginning July 1, 2012,
39 the goals for the ~~department~~ of economic development
40 authority shall be to expand and stimulate the state
41 economy, increase the wealth of Iowans, and increase
42 the population of the state.
43 2. To achieve the goals in subsection 1, the
44 ~~department~~ of economic development authority shall do
45 all of the following for the fiscal year beginning July
46 1, 2012:
47 a. Concentrate its efforts on programs and
48 activities that result in commercially viable products
49 and services.
50 b. Adopt practices and services consistent with

HF2337.4922 (2) 84

-2-

ad/tm

2/16



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 13, 2012

1 free market, private sector philosophies.
2 c. Ensure economic growth and development
3 throughout the state.
4 d. Work with businesses and communities to
5 continually improve the economic development climate
6 along with the economic well-being and quality of life
7 for Iowans.
8 e. Coordinate with other state agencies to
9 ensure that they are attentive to the needs of an
10 entrepreneurial culture.
11 f. Establish a strong and aggressive marketing
12 image to showcase Iowa's workforce, existing industry,
13 and potential. A priority shall be placed on
14 recruiting new businesses, business expansion, and
15 retaining existing Iowa businesses. Emphasis shall be
16 placed on entrepreneurial development through helping
17 entrepreneurs secure capital, and developing networks
18 and a business climate conducive to entrepreneurs and
19 small businesses.
20 g. Encourage the development of communities and
21 quality of life to foster economic growth.
22 h. Prepare communities for future growth and
23 development through development, expansion, and
24 modernization of infrastructure.
25 i. Develop public-private partnerships with
26 Iowa businesses in the tourism industry, Iowa tour
27 groups, Iowa tourism organizations, and political
28 subdivisions in this state to assist in the development
29 of advertising efforts.
30 j. Develop, to the fullest extent possible,
31 cooperative efforts for advertising with contributions
32 from other sources.
33 Sec. 3. 2011 Iowa Acts, chapter 130, section 50,
34 subsections 1, 2, 4, 5, and 6, are amended to read as
35 follows:
36 1. APPROPRIATION
37 There is appropriated from the general fund of
38 the state to the ~~department of~~ economic development
39 authority for the fiscal year beginning July 1, 2012,
40 and ending June 30, 2013, the following amounts, or
41 so much thereof as is necessary, to be used for the
42 purposes designated in subsection 2, and for not more
43 than the following full-time equivalent positions:
44 \$ 4,891,712
45 9,783,424
46 FTEs 149.00
47 2. DESIGNATED PURPOSES
48 a. For salaries, support, miscellaneous purposes,
49 programs, and the maintenance of an administration
50 division, a business development division, and a

HF2337.4922 (2) 84

-3-

ad/tm

3/16



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 13, 2012

1 community development division.
2 b. The full-time equivalent positions authorized
3 under this section shall be funded, in whole or in
4 part, by the moneys appropriated under subsection 1 or
5 by other moneys received by the ~~department~~ authority,
6 including certain federal moneys.
7 c. For business development operations and
8 programs, ~~the film office~~, international trade, export
9 assistance, workforce recruitment, and the partner
10 state program.
11 d. For transfer to the strategic investment fund
12 created in section 15.313.
13 e. For community economic development programs,
14 tourism operations, community assistance, plans
15 for Iowa green corps and summer youth programs,
16 the mainstreet and rural mainstreet programs, the
17 school-to-career program, the community development
18 block grant, and housing and shelter-related programs.
19 f. For achieving the goals and accountability, and
20 fulfilling the requirements and duties required under
21 this Act.
22 4. FINANCIAL ASSISTANCE RESTRICTIONS
23 a. A business creating jobs through moneys
24 appropriated in this section shall be subject to
25 contract provisions requiring new and retained jobs to
26 be filled by individuals who are citizens of the United
27 States who reside within the United States or any
28 person authorized to work in the United States pursuant
29 to federal law, including legal resident aliens in the
30 United States.
31 b. Any vendor who receives moneys appropriated in
32 this section shall adhere to such contract provisions
33 and provide periodic assurances as the state shall
34 require that the jobs are filled solely by citizens of
35 the United States who reside within the United States
36 or any person authorized to work in the United States
37 pursuant to federal law, including legal resident
38 aliens in the United States.
39 c. A business that receives financial assistance
40 from the ~~department~~ authority from moneys appropriated
41 in this section shall only employ individuals legally
42 authorized to work in this state. In addition to all
43 other applicable penalties provided by current law, all
44 or a portion of the assistance received by a business
45 which is found to knowingly employ individuals not
46 legally authorized to work in this state is subject to
47 recapture by the ~~department~~ authority.
48 5. USES OF APPROPRIATIONS
49 a. From the moneys appropriated in this section,
50 the ~~department~~ authority may provide financial

HF2337.4922 (2) 84

-4-

ad/tm

4/16



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 13, 2012

1 assistance in the form of a grant to a community
2 economic development entity for conducting a local
3 workforce recruitment effort designed to recruit former
4 citizens of the state and former students at colleges
5 and universities in the state to meet the needs of
6 local employers.

7 b. From the moneys appropriated in this section,
8 the ~~department~~ authority may provide financial
9 assistance to early stage industry companies being
10 established by women entrepreneurs.

11 c. From the moneys appropriated in this section,
12 the ~~department~~ authority may provide financial
13 assistance in the form of grants, loans, or forgivable
14 loans for advanced research and commercialization
15 projects involving value-added agriculture, advanced
16 technology, or biotechnology.

17 d. The ~~department~~ authority shall not use any
18 moneys appropriated in this section for purposes of
19 providing financial assistance for the Iowa green
20 streets pilot project or for any other program or
21 project that involves the installation of geothermal
22 systems for melting snow and ice from streets or
23 sidewalks.

24 6. WORLD FOOD PRIZE

25 For allocating moneys for the world food prize and
26 ~~notwithstanding in lieu of the standing appropriation~~
27 in section 15.368, subsection 1:

28	\$	250,000
29		<u>750,000</u>

30 Sec. 4. 2011 Iowa Acts, chapter 130, section 50,
31 subsection 7, unnumbered paragraphs 1 and 2, are
32 amended to read as follows:

33 For allocation to the Iowa commission on volunteer
34 service for the Iowa's promise and mentoring
35 partnership programs, for transfer to the Iowa state
36 commission grant program, and for not more than the
37 following full-time equivalent positions:

38	\$	89,067
39		<u>178,133</u>
40	FTEs	<u>7.00</u>

41 Of the moneys appropriated in this subsection, the
42 ~~department~~ authority shall allocate ~~\$37,500~~ \$75,000 for
43 purposes of the Iowa state commission grant program and
44 ~~\$51,567~~ \$103,133 for purposes of the Iowa's promise and
45 mentoring partnership programs.

46 Sec. 5. 2011 Iowa Acts, chapter 130, section 51, is
47 amended to read as follows:

48 SEC. 51. VISION IOWA PROGRAM — FTE

49 AUTHORIZATION. For purposes of administrative duties
50 associated with the vision Iowa program for the fiscal

HF2337.4922 (2) 84

-5-

ad/tm

5/16



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 13, 2012

1 year beginning July 1, 2012, the ~~department of~~ economic
2 development authority is authorized an additional 2.25
3 FTEs above those otherwise authorized in this division
4 of this Act.

5 Sec. 6. 2011 Iowa Acts, chapter 130, section 52, is
6 amended to read as follows:

7 SEC. 52. INSURANCE ECONOMIC DEVELOPMENT. From
8 the moneys collected by the division of insurance
9 in excess of the anticipated gross revenues under
10 section 505.7, subsection 3, during the fiscal year
11 beginning July 1, 2012, \$100,000 shall be transferred
12 to the ~~department of~~ economic development authority
13 for insurance economic development and international
14 insurance economic development.

15 Sec. 7. 2011 Iowa Acts, chapter 130, section 53, is
16 amended to read as follows:

17 SEC. 53. COMMUNITY DEVELOPMENT LOAN
18 FUND. Notwithstanding section 15E.120, subsection
19 5, there is appropriated from the Iowa community
20 development loan fund all moneys available during the
21 fiscal year beginning July 1, 2012, and ending June
22 30, 2013, to the ~~department of~~ economic development
23 authority for purposes of the community development
24 program.

25 Sec. 8. 2011 Iowa Acts, chapter 130, is amended by
26 adding the following new section:

27 SEC. 53A. INCENTIVE FUND. There is appropriated
28 from the general fund of the state to the economic
29 development authority for the fiscal year beginning
30 July 1, 2012, and ending June 30, 2013, the following
31 amount to be used for the purposes of incentives and
32 assistance to create high quality jobs and pursuant to
33 chapter 15:

34 \$ 20,000,000

35 Notwithstanding section 8.33, moneys appropriated in
36 this section that remain unencumbered or unobligated
37 at the close of the fiscal year shall not revert but
38 shall remain available for expenditure for the purposes
39 designated until the close of the succeeding fiscal
40 year.

41 Sec. 9. 2011 Iowa Acts, chapter 130, is amended by
42 adding the following new section:

43 SEC. 53B. MAIN STREET. There is appropriated
44 from the general fund of the state to the economic
45 development authority for the fiscal year beginning
46 July 1, 2012, and ending June 30, 2013, the following
47 amount to be used for the purposes of the United
48 States department of housing and urban development's
49 main street challenge grants for historic building
50 preservation:

HF2337.4922 (2) 84

-6-

ad/tm

6/16



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 13, 2012

1 \$ 100,000
2 Notwithstanding section 8.33, moneys appropriated in
3 this section that remain unencumbered or unobligated
4 at the close of the fiscal year shall not revert but
5 shall remain available for expenditure for the purposes
6 designated until the close of the succeeding fiscal
7 year.
8 Sec. 10. 2011 Iowa Acts, chapter 130, section 54,
9 is amended to read as follows:
10 SEC. 54. WORKFORCE DEVELOPMENT FUND. There is
11 appropriated from the workforce development fund
12 account created in section 15.342A to the workforce
13 development fund created in section 15.343 for the
14 fiscal year beginning July 1, 2012, and ending June
15 30, 2013, the following amount, for purposes of the
16 workforce development fund:
17 \$ 2,000,000
18 4,000,000
19 Sec. 11. 2011 Iowa Acts, chapter 130, section 55,
20 is amended to read as follows:
21 SEC. 55. WORKFORCE DEVELOPMENT ADMINISTRATION.
22 From moneys appropriated or transferred to or receipts
23 credited to the workforce development fund created in
24 section 15.343, up to \$400,000 for the fiscal year
25 beginning July 1, 2012, and ending June 30, 2013, are
26 appropriated to the ~~department of~~ economic development
27 authority for the administration of workforce
28 development activities including salaries, support,
29 maintenance, and miscellaneous purposes, and for not
30 more than the following full-time equivalent positions:
31 FTEs 4.00
32 Sec. 12. 2011 Iowa Acts, chapter 130, section 57,
33 is amended to read as follows:
34 SEC. 57. IOWA STATE UNIVERSITY.
35 1. There is appropriated from the general fund
36 of the state to Iowa state university of science
37 and technology for the fiscal year beginning July
38 1, 2012, and ending June 30, 2013, the following
39 amount, or so much thereof as is necessary, to be used
40 for small business development centers, the science
41 and technology research park, and the institute for
42 physical research and technology, and for not more than
43 the following full-time equivalent positions:
44 \$ 1,212,151
45 2,424,302
46 FTEs 56.63
47 2. Of the moneys appropriated in subsection 1,
48 Iowa state university of science and technology shall
49 allocate at least ~~\$468,178~~ \$936,345 for purposes of
50 funding small business development centers. Iowa state

HF2337.4922 (2) 84

-7-

ad/tm

7/16



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 13, 2012

1 university of science and technology may allocate
2 moneys appropriated in subsection 1 to the various
3 small business development centers in any manner
4 necessary to achieve the purposes of this subsection.
5 3. Iowa state university of science and technology
6 shall do all of the following:
7 a. Direct expenditures for research toward projects
8 that will provide economic stimulus for Iowa.
9 b. Provide emphasis to providing services to
10 Iowa-based companies.
11 4. It is the intent of the general assembly
12 that the industrial incentive program focus on Iowa
13 industrial sectors and seek contributions and in-kind
14 donations from businesses, industrial foundations, and
15 trade associations, and that moneys for the institute
16 for physical research and technology industrial
17 incentive program shall be allocated only for projects
18 which are matched by private sector moneys for directed
19 contract research or for nondirected research. The
20 match required of small businesses as defined in
21 section 15.102, subsection 6 10, for directed contract
22 research or for nondirected research shall be \$1 for
23 each \$3 of state funds. The match required for other
24 businesses for directed contract research or for
25 nondirected research shall be \$1 for each \$1 of state
26 funds. The match required of industrial foundations
27 or trade associations shall be \$1 for each \$1 of state
28 funds.
29 Iowa state university of science and technology
30 shall report annually to the joint appropriations
31 subcommittee on economic development and the
32 legislative services agency the total amount of
33 private contributions, the proportion of contributions
34 from small businesses and other businesses, and
35 the proportion for directed contract research and
36 nondirected research of benefit to Iowa businesses and
37 industrial sectors.
38 5. Notwithstanding section 8.33, moneys
39 appropriated in this section that remain unencumbered
40 or unobligated at the close of the fiscal year shall
41 not revert but shall remain available for expenditure
42 for the purposes designated until the close of the
43 succeeding fiscal year.
44 Sec. 13. 2011 Iowa Acts, chapter 130, section 58,
45 is amended to read as follows:
46 SEC. 58. UNIVERSITY OF IOWA.
47 1. There is appropriated from the general fund
48 of the state to the state university of Iowa for the
49 fiscal year beginning July 1, 2012, and ending June
50 30, 2013, the following amount, or so much thereof

HF2337.4922 (2) 84

-8-

ad/tm

8/16



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 13, 2012

1 as is necessary, to be used for the state university
2 of Iowa research park and for the advanced drug
3 development program at the Oakdale research park,
4 including salaries, support, maintenance, equipment,
5 miscellaneous purposes, and for not more than the
6 following full-time equivalent positions:
7 \$ 104,640
8 209,279
9 FTEs 6.00
10 2. The state university of Iowa shall do all of the
11 following:
12 a. Direct expenditures for research toward projects
13 that will provide economic stimulus for Iowa.
14 b. Provide emphasis to providing services to
15 Iowa-based companies.
16 3. Notwithstanding section 8.33, moneys
17 appropriated in this section that remain unencumbered
18 or unobligated at the close of the fiscal year shall
19 not revert but shall remain available for expenditure
20 for the purposes designated until the close of the
21 succeeding fiscal year.
22 Sec. 14. 2011 Iowa Acts, chapter 130, section 59,
23 is amended to read as follows:
24 SEC. 59. UNIVERSITY OF NORTHERN IOWA.
25 1. There is appropriated from the general fund of
26 the state to the university of northern Iowa for the
27 fiscal year beginning July 1, 2012, and ending June 30,
28 2013, the following amount, or so much thereof as is
29 necessary, to be used for the metal casting institute,
30 the MyEntreNet internet application, and the institute
31 of decision making, including salaries, support,
32 maintenance, miscellaneous purposes, and for not more
33 than the following full-time equivalent positions:
34 \$ 287,358
35 718,716
36 FTEs 6.75
37 2. Of the moneys appropriated pursuant to
38 subsection 1, the university of northern Iowa shall
39 allocate at least ~~\$58,820~~ \$261,639 for purposes of
40 support of entrepreneurs and small and micro businesses
41 through the university's regional business center.
42 3. The university of northern Iowa shall do all of
43 the following:
44 a. Direct expenditures for research toward projects
45 that will provide economic stimulus for Iowa.
46 b. Provide emphasis to providing services to
47 Iowa-based companies.
48 4. Notwithstanding section 8.33, moneys
49 appropriated in this section that remain unencumbered
50 or unobligated at the close of the fiscal year shall

HF2337.4922 (2) 84

-9-

ad/tm

9/16



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 13, 2012

1 not revert but shall remain available for expenditure
2 for the purposes designated until the close of the
3 succeeding fiscal year.
4 Sec. 15. 2011 Iowa Acts, chapter 130, is amended by
5 adding the following new section:
6 SEC. 60A. REGENTS INNOVATION FUND.
7 1. There is appropriated from the general fund
8 of the state to the institutions of higher learning
9 under the control of the state board of regents for the
10 fiscal year beginning July 1, 2012, and ending June 30,
11 2013, the following amount to be used for the purposes
12 provided in this section:
13 \$ 3,800,000
14 Of the moneys appropriated pursuant to this section,
15 thirty-five percent shall be allocated for Iowa state
16 university, thirty-five percent shall be allocated
17 for university of Iowa, and thirty percent shall be
18 allocated for university of northern Iowa.
19 2. The institutions shall use moneys appropriated
20 in this section for capacity building infrastructure
21 in areas related to technology commercialization,
22 marketing and business development efforts in
23 areas related to technology commercialization,
24 entrepreneurship, and business growth, and
25 infrastructure projects and programs needed to assist
26 in the implementation of activities under chapter 262B.
27 3. The institutions shall provide a one-to-one
28 match of additional moneys for the activities funded
29 with moneys appropriated under this section.
30 4. The state board of regents shall annually
31 prepare a report for submission to the governor, the
32 general assembly, and the legislative services agency
33 regarding the activities, projects, and programs
34 funded with moneys allocated under this section. The
35 report shall be provided in an electronic format and
36 shall include a list of metrics and criteria mutually
37 agreed to in advance by the board of regents and
38 the economic development authority. The metrics and
39 criteria shall allow the governor's office and the
40 general assembly to quantify and evaluate the progress
41 of the board of regents institutions with regard to
42 their activities, projects, and programs in the areas
43 of technology commercialization, entrepreneurship,
44 regional development, and market research.
45 Sec. 16. 2011 Iowa Acts, chapter 130, section
46 61, subsections 1 through 4, are amended to read as
47 follows:
48 1. DIVISION OF LABOR SERVICES
49 a. For the division of labor services, including
50 salaries, support, maintenance, miscellaneous

HF2337.4922 (2) 84

-10-

ad/tm

10/16



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 13, 2012

1 purposes, and for not more than the following full-time
2 equivalent positions:
3 \$ 1,747,720
4 3,548,440
5 FTEs 64.00
6 65.00
7 b. From the contractor registration fees, the
8 division of labor services shall reimburse the
9 department of inspections and appeals for all costs
10 associated with hearings under chapter 91C, relating
11 to contractor registration.
12 c. Of the moneys appropriated under this
13 subsection, the department shall allocate \$53,000 for
14 the purpose of employing an additional investigator to
15 investigate wage enforcement.
16 2. DIVISION OF WORKERS' COMPENSATION
17 a. For the division of workers' compensation,
18 including salaries, support, maintenance, miscellaneous
19 purposes, and for not more than the following full-time
20 equivalent positions:
21 \$ 1,474,522
22 3,102,044
23 FTEs 30.00
24 31.00
25 b. The division of workers' compensation shall
26 charge a \$100 filing fee for workers' compensation
27 cases. The filing fee shall be paid by the petitioner
28 of a claim. However, the fee can be taxed as a cost
29 and paid by the losing party, except in cases where
30 it would impose an undue hardship or be unjust under
31 the circumstances. The moneys generated by the filing
32 fee allowed under this subsection are appropriated to
33 the department of workforce development to be used for
34 purposes of administering the division of workers'
35 compensation.
36 c. Of the moneys appropriated under this
37 subsection, the department shall allocate \$153,000 for
38 the purpose of employing a chief deputy commissioner.
39 3. WORKFORCE DEVELOPMENT OPERATIONS
40 a. For the operation of field offices, the
41 workforce development board, and for not more than the
42 following full-time equivalent positions:
43 \$ 4,335,676
44 8,671,352
45 FTEs 130.00
46 b. Of the moneys appropriated in paragraph "a"
47 of this subsection, the department shall allocate
48 ~~\$4,330,240~~ \$8,510,480 for the operation of field
49 offices and the department shall allocate \$150,000
50 to the state library for the purpose of licensing an

HF2337.4922 (2) 84

-11-

ad/tm

11/16



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 13, 2012

1 online resource which prepares persons to succeed in
2 the workplace through programs which improve job skills
3 and vocational test-taking abilities.
4 c. The department shall not reduce the number of
5 field offices below the number of field offices being
6 operated as of January 1, 2009.
7 4. OFFENDER REENTRY PROGRAM
8 a. For the development and administration of an
9 offender reentry program to provide offenders with
10 employment skills, and for not more than the following
11 full-time equivalent positions:
12 \$ 142,232
13 284,464
14 FTEs 3.00
15 4.00
16 b. The department shall partner with the department
17 of corrections to provide staff within the correctional
18 facilities to improve offenders' abilities to find and
19 retain productive employment.
20 Sec. 17. 2011 Iowa Acts, chapter 130, section 61,
21 is amended by adding the following new subsection:
22 NEW SUBSECTION. 5. DEFINITIONS
23 For purposes of this section:
24 a. "Field office" means a satellite office of
25 a workforce development center through which the
26 workforce development center maintains a physical
27 presence in a county as described in section 84B.2.
28 For purposes of this paragraph, a workforce development
29 center maintains a physical presence in a county if the
30 center employs a staff person. "Field office" does not
31 include the presence of a workforce development center
32 maintained by electronic means.
33 b. "Workforce development center" means a center
34 at which state and federal employment and training
35 programs are colocated and at which services are
36 provided at a local level as described in section
37 84B.1.
38 Sec. 18. 2011 Iowa Acts, chapter 130, section 63,
39 is amended to read as follows:
40 SEC. 63. EMPLOYMENT SECURITY CONTINGENCY FUND.
41 1. There is appropriated from the special
42 employment security contingency fund to the department
43 of workforce development for the fiscal year beginning
44 July 1, 2012, and ending June 30, 2013, the following
45 amount, or so much thereof as is necessary, to be used
46 for field offices:
47 \$ 608,542
48 1,217,084
49 2. There is appropriated from the special
50 employment security contingency fund to the division

HF2337.4922 (2) 84

-12-

ad/tm

12/16



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 13, 2012

1 of workers' compensation for the fiscal year beginning
2 July 1, 2012, and ending June 30, 2013, the following
3 amount or so much thereof as is necessary, to be used
4 for hiring and compensating a deputy commissioner of
5 workers' compensation:
6 \$ 160,000
7 2. 3. Any remaining additional penalty and
8 interest revenue collected by the department of
9 workforce development is appropriated to the department
10 for the fiscal year beginning July 1, 2012, and
11 ending June 30, 2013, to accomplish the mission of the
12 department.
13 Sec. 19. 2011 Iowa Acts, chapter 130, section 64,
14 is amended to read as follows:
15 SEC. 64. UNEMPLOYMENT COMPENSATION RESERVE FUND
16 — FIELD OFFICES. Notwithstanding section 96.9,
17 subsection 8, paragraph "e", there is appropriated
18 from interest earned on the unemployment compensation
19 reserve fund to the department of workforce development
20 for the fiscal year beginning July 1, 2012, and ending
21 June 30, 2013, the following amount or so much thereof
22 as is necessary, for the purposes designated:
23 For the operation of field offices:
24 \$ 1,200,000
25 633,000
26 Sec. 20. 2011 Iowa Acts, chapter 130, section 65,
27 is amended to read as follows:
28 SEC. 65. GENERAL FUND — EMPLOYEE MISCLASSIFICATION
29 PROGRAM. There is appropriated from the general fund
30 of the state to the department of workforce development
31 for the fiscal year beginning July 1, 2012, and
32 ending June 30, 2013, the following amount, or so much
33 thereof as is necessary, to be used for the purposes
34 designated:
35 For enhancing efforts to investigate employers that
36 misclassify workers and for not more than the following
37 full-time equivalent positions:
38 \$ 225,729
39 451,458
40 FTEs 8.10
41 Sec. 21. 2011 Iowa Acts, chapter 130, section 67,
42 subsection 1, is amended to read as follows:
43 1. There is appropriated from the general fund
44 of the state to the Iowa finance authority for the
45 fiscal year beginning July 1, 2012, and ending June 30,
46 2013, the following amount, or so much thereof as is
47 necessary, to be used to provide reimbursement for rent
48 expenses to eligible persons under the rent subsidy
49 program:
50 \$ 329,000

HF2337.4922 (2) 84

-13-

ad/tm

13/16



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 13, 2012

1 658,000
2 Sec. 22. 2011 Iowa Acts, chapter 130, section 69,
3 is amended to read as follows:
4 SEC. 69. PUBLIC EMPLOYMENT RELATIONS BOARD.
5 1. There is appropriated from the general fund of
6 the state to the public employment relations board for
7 the fiscal year beginning July 1, 2012, and ending June
8 30, 2013, the following amount, or so much thereof as
9 is necessary, for the purposes designated:
10 For salaries, support, maintenance, miscellaneous
11 purposes, and for not more than the following full-time
12 equivalent positions:
13 \$ 528,936
14 1,148,426
15 FTEs 10.00
16 2. Of the moneys appropriated in this section,
17 the board shall allocate \$15,000 for maintaining a
18 website that allows searchable access to a database of
19 collective bargaining information.
20 Sec. 23. Section 123.143, subsection 3, Code
21 Supplement 2011, is amended to read as follows:
22 3. Barrel tax revenues collected on beer
23 manufactured in this state from a class "A" permittee
24 which owns and operates a brewery located in Iowa shall
25 be credited to the barrel tax fund hereby created in
26 the office of the treasurer of state. Moneys deposited
27 in the barrel tax fund shall not revert to the general
28 fund of the state without a specific appropriation by
29 the general assembly. Moneys in the barrel tax fund
30 are appropriated to the economic development authority
31 for purposes of section 15E.117 Iowa state university
32 of science and technology and for purposes of the
33 midwest grape and wine industry institute.
34 Notwithstanding section 8.33, moneys appropriated in
35 this subsection that remain unencumbered or unobligated
36 at the close of a fiscal year shall not revert but
37 shall remain available for expenditure for the purposes
38 designated until the close of the succeeding fiscal
39 year.
40 Sec. 24. Section 123.183, Code Supplement 2011, is
41 amended by striking the subsection and inserting in
42 lieu thereof the following:
43 2. a. Revenue collected from the wine gallonage
44 tax on wine manufactured for sale and sold in this
45 state, and on wine subject to direct shipment as
46 provided in section 123.187 by a wine manufacturer
47 licensed or permitted pursuant to laws regulating
48 alcohol beverages in this state, shall be deposited in
49 the wine gallonage tax fund as created in this section.
50 b. (1) A wine gallonage tax fund is created in the

HF2337.4922 (2) 84

-14-

ad/tm

14/16



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 13, 2012

1 office of the treasurer of the state.

2 (2) All moneys deposited in the fund are
3 appropriated to Iowa state university of science and
4 technology for purposes of the midwest grape and wine
5 industry institute.

6 (3) Notwithstanding section 8.33, moneys
7 appropriated in this section that remain unencumbered
8 or unobligated at the close of a fiscal year shall
9 not revert but shall remain available for expenditure
10 for the purposes designated until the close of the
11 succeeding fiscal year.

12 Sec. 25. NEW SECTION. 266.21 Iowa wine and beer
13 promotion board.

14 1. The advisory board of the midwest grape and
15 wine industry institute at Iowa state university of
16 science and technology shall establish a wine and beer
17 promotion board.

18 2. The wine and beer promotion board shall consist
19 of three members appointed by the advisory board. Each
20 member shall serve a term of three years on the board.
21 One member shall represent Iowa wine makers and one
22 member shall represent Iowa beer makers. The third
23 member shall have expertise in marketing and shall be
24 mutually agreed upon by the other two wine and beer
25 promotion board members. The member representing Iowa
26 beer makers shall control the moneys in the midwest
27 grape and wine industry institute that are derived from
28 the tax on wholesale sales of native beer and shall
29 use those moneys to promote native beer made in Iowa.
30 The member representing Iowa wine makers shall control
31 the moneys in the midwest grape and wine industry
32 institute that are derived from the tax on native wine
33 manufactured for sale and sold in the state and shall
34 use those moneys to promote wine made in Iowa.

35 3. The wine and beer promotion board shall advise
36 the advisory board of the midwest grape and wine
37 industry institute at Iowa state university of science
38 and technology on the best means to promote wine and
39 beer made in Iowa.

40 Sec. 26. Section 303.1, subsection 4, Code 2011, is
41 amended by adding the following new paragraph:

42 NEW PARAGRAPH. e. Film office.

43 Sec. 27. NEW SECTION. 303.95 Film office.

44 The department shall establish and administer a film
45 office. The purpose of the film office is to assist
46 legitimate film, television, and video producers in the
47 production of film, television, and video projects in
48 the state and to create a positive fiscal impact on the
49 state's economy through such projects.

50 Sec. 28. REPEAL. Sections 15E.116 and 15E.117,

HF2337.4922 (2) 84

-15-

ad/tm

15/16



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 13, 2012

1 Code and Code Supplement 2011, are repealed.
2 Sec. 29. TRANSITIONAL PROVISIONS — TRANSFER OF
3 FUNDS. Any moneys remaining in any account or fund
4 under the control of the economic development authority
5 on the effective date of this Act relative to the Iowa
6 wine and beer promotion board shall be transferred
7 to Iowa state university of science and technology
8 for the midwest grape and wine industry institute.
9 Notwithstanding section 8.33, moneys transferred in
10 accordance with this section shall not revert to the
11 account or fund from which it was appropriated or
12 transferred.
13 Sec. 30. TRANSITIONAL PROVISIONS — EMERGENCY
14 ADMINISTRATIVE RULEMAKING. The department of cultural
15 affairs may adopt emergency rules under section
16 17A.4, subsection 3, and section 17A.5, subsection 2,
17 paragraph "b", to implement the provisions of this Act
18 relating to a film office in the department of cultural
19 affairs, and the rules shall be effective January 1,
20 2013, unless a later date is specified in the rules.
21 Any rules adopted in accordance with this section shall
22 also be published as a notice of intended action as
23 provided in section 17A.4.
24 Sec. 31. EFFECTIVE UPON ENACTMENT. The section
25 of this division of this Act providing for emergency
26 rulemaking, being deemed of immediate importance, takes
27 effect upon enactment.>
28 2. Title page, line 6, by striking <and
29 retroactive>

COMMITTEE ON APPROPRIATIONS
ROBERT E. DVORSKY, CHAIRPERSON



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 13, 2012

Senate File 2236

S-5085

- 1 Amend Senate File 2236 as follows:
2 1. Page 1, by striking line 8 and inserting
3 <government oversight. The reports are required only
4 if gifts are received and shall be filed no later
5 than>
6 2. By striking page 4, line 35, through page 5,
7 line 4.
8 3. Page 6, after line 6 by inserting:
9 <Sec. _____. EFFECTIVE UPON ENACTMENT. This Act,
10 being deemed of immediate importance, takes effect upon
11 enactment.>
12 4. Title page, line 3, after <applicable> by
13 inserting <and including effective date provisions>

JEFF DANIELSON



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 13, 2012

Senate File 2275

S-5086

- 1 Amend Senate File 2275 as follows:
2 1. Page 6, after line 26 by inserting:
3 <Sec. _____. Section 99F.11, subsection 3, paragraph
4 e, Code Supplement 2011, is amended to read as follows:
5 e. (1) The Except as otherwise provided in this
6 paragraph "e", the remaining amount of the adjusted
7 gross receipts tax shall be credited to the general
8 fund of the state.
9 (2) Notwithstanding any provision of this paragraph
10 "e" or section 8.57 to the contrary, the remaining
11 amount of the adjusted gross receipts tax on internet
12 wagering shall be deposited into the road use tax fund
13 created pursuant to section 312.1.>
14 2. By renumbering as necessary.

JONI ERNST



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 13, 2012

Senate File 2236

S-5087

1 Amend Senate File 2236 as follows:

2 1. Page 4, by striking line 33 and inserting
3 *<material>* includes television, video, or motion
4 picture>

5 2. By striking page 4, line 35, through page 5,
6 line 4.

7 3. Page 5, line 10, by striking <radio advertising
8 or>

9 4. By renumbering as necessary.

JEFF DANIELSON

SF2236.4440 (2) 84

-1-

jr/sc

1/1



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 13, 2012

Senate Resolution 116 - Introduced

SENATE RESOLUTION NO. 116

BY QUIRMBACH, MATHIS, BEALL, RAGAN, DOTZLER, JOCHUM,
HOGG, DVORSKY, SODDERS, DANIELSON, SENG, HORN,
FRAISE, COURTNEY, KIBBIE, BLACK, McCOY, SCHOENJAHN,
BEHN, BACON, BOETTGER, JOHNSON, McKINLEY, KAPUCIAN,
WHITVER, ANDERSON, SORENSON, ERNST, KETTERING,
HAHN, FEENSTRA, DIX, CHELGREN, WARD, and SEYMOUR

1 A Resolution to honor Dr. Gregory L. Geoffroy's
2 remarkable achievements as President of Iowa State
3 University.

4 WHEREAS, Iowa State University, one of America's
5 preeminent land-grant universities, has become even
6 greater under the leadership of President Gregory L.
7 Geoffroy; and

8 WHEREAS, in 2001, Dr. Geoffroy capped an already
9 distinguished academic career as a professor of
10 chemistry, department head, and college dean
11 by assuming the post of President of Iowa State
12 University; and

13 WHEREAS, in the following decade, President Geoffroy
14 led Iowa State in its quest for excellence by advancing
15 the land-grant values of education, research, and
16 service and by putting science and technology to
17 work; and

18 WHEREAS, in only 10 years, President Geoffroy has
19 led the university to some remarkable achievements
20 including:

21 1. Record enrollments including an all-time high of
22 29,887 in 2011.

23 2. Record sponsored funding with \$388.1 million in



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 13, 2012

S.R. 116

1 2010.

2 3. The largest comprehensive fundraising campaign
3 in university history, totalling \$867 million.

4 4. A renewal of the campus infrastructure with
5 more than two dozen building projects completed or in
6 progress.

7 5. More than doubling the number of endowed faculty
8 positions to 158.

9 6. Iowa State University being named "a technology
10 powerhouse" in a report to the National Science
11 Foundation.

12 7. Reducing campus energy consumption by 10 percent
13 through the Live Green! sustainability initiative.

14 8. A truly remarkable record of achievement by the
15 university's faculty, staff, and students; and

16 WHEREAS, in his tenure at Iowa State University,
17 President Geoffroy has ushered the university into the
18 twenty-first century and positioned the university for
19 an even brighter future; NOW THEREFORE,

20 BE IT RESOLVED BY THE SENATE, That the Senate thanks
21 Dr. Gregory L. Geoffroy for a decade of service to the
22 people of Iowa and honors his tireless efforts to make
23 Iowa State University a world-class institution.

LSB 6103SS (1) 84

-2-

jr/nh

2/2



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 13, 2012

Senate Study Bill 3193 - Introduced

SENATE FILE _____
BY (PROPOSED COMMITTEE ON
WAYS AND MEANS BILL BY
CHAIRPERSON BOLKCOM)

A BILL FOR

1 An Act relating to electronic payment transactions by
2 prohibiting the collection of interchange fees on specified
3 taxes and fees, providing penalties, and including
4 applicability provisions.
5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

TLSB 5515SC (2) 84
rn/sc



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 13, 2012

S.F. _____

1 Section 1. NEW SECTION. 424A.1 Definitions.

2 As used in this chapter, unless the context otherwise
3 requires:

4 1. "*Electronic payment transaction*" means a transaction
5 in which a person uses a debit card, credit card, or other
6 payment code or device, issued or approved through a payment
7 card network to debit an asset account or use a line of
8 credit, whether authorization is based on signature, personal
9 identification number, or other means.

10 2. "*Interchange fee*" means any fee established, charged,
11 or received by a payment card network for the purpose of
12 compensating the issuer for its involvement in an electronic
13 payment transaction.

14 3. "*Issuer*" means any person who issues a debit card or
15 credit card, or the issuer's agent.

16 4. "*Payment card network*" means an entity that directly,
17 or through licensed members, processors, or agents, provides
18 the proprietary services, infrastructure, and software that
19 route information and data to conduct debit card or credit
20 card transaction authorization, clearance, and settlement, and
21 that a merchant or seller uses in order to accept as a form of
22 payment a brand of debit card, credit card, or other device
23 that may be used to carry out debit or credit transactions.

24 5. "*Settlement*" means the transfer of funds from a
25 customer's account to a seller or merchant upon electronic
26 submission of finalized sales transactions to the payment card
27 network.

28 Sec. 2. NEW SECTION. 424A.2 Interchange fees — limitation.

29 The amount of any tax or fee imposed by state or local
30 government that is calculated as a percentage of an electronic
31 payment transaction amount and listed separately on the payment
32 invoice or other demand for payment, or the amount of any
33 fuel taxes imposed under chapter 452A, shall be excluded from
34 the amount of an interchange fee charged for that electronic
35 payment transaction.

LSB 5515SC (2) 84

-1-

rn/sc

1/5



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 13, 2012

S.F. _____

1 Sec. 3. NEW SECTION. **424A.3 Circumvention prohibited.**

2 It shall be unlawful to alter or manipulate the computation
3 and imposition of interchange fees by increasing the rate or
4 amount of fee applicable to or imposed upon that portion of an
5 electronic payment transaction not attributable to a state or
6 local tax or fee to circumvent the effect of section 424A.2.

7 Sec. 4. NEW SECTION. **424A.4 Deduction or rebate —**
8 **settlement procedure.**

9 A payment card network shall either deduct the amount of
10 any tax or fee imposed as described in section 424A.2 from the
11 calculation of interchange fees specific to each form or type
12 of electronic payment transaction at the time of settlement
13 or shall rebate an amount of interchange fee proportionate
14 to the amount attributable to the tax or fee. The deduction
15 or rebate shall occur at the time of settlement when the
16 merchant or seller is able to capture and transmit tax or fee
17 amounts relevant to the sale at the time of sale as part of the
18 transaction finalization. If the merchant or seller is unable
19 to capture and transmit tax or fee amounts relevant to the sale
20 at the time of sale, the payment card network shall accept
21 proof of tax or fee amounts collected on sales subject to an
22 interchange fee upon the submission of sales data by the seller
23 or merchant and shall promptly credit the merchant or seller's
24 settlement account.

25 Sec. 5. NEW SECTION. **424A.5 Enforcement — penalty.**

26 1. The provisions of this chapter are subject to the powers
27 and authority of the attorney general or the attorney general's
28 designee.

29 2. If a court finds in an action brought by the attorney
30 general, or the attorney general's designee, that a person
31 has intentionally violated a provision of this chapter, the
32 person shall be subject to a civil penalty of not less than
33 one thousand dollars nor more than five thousand dollars for
34 each violation. In addition, a person paying interchange fees
35 imposed in violation of this chapter may bring an action at law

LSB 5515SC (2) 84

-2-

rn/sc

2/5



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 13, 2012

S.F. _____

1 to recover actual damages. The court may order such equitable
2 relief as it deems necessary, including temporary and permanent
3 injunctive relief.

4 Sec. 6. NEW SECTION. 424A.6 Nonseverability.

5 In the event that any provision of this chapter or its
6 application is held to be invalid with regard to a federally
7 chartered bank or other financial institution, it shall be
8 held equally invalid with regard to a financial institution
9 licensed by or operating within this state, and to this end the
10 provisions of this chapter are not severable.

11 Sec. 7. NEW SECTION. 537C.1 Interchange fees —
12 computation.

13 The computation of an interchange fee established, charged,
14 or received by a payment card network for the purpose of
15 compensating the issuer for its involvement in an electronic
16 payment transaction, as those terms are defined in section
17 424A.1, shall be governed by the provisions of chapter 424A.
18 Sec. 8. APPLICABILITY. This Act is applicable to electronic
19 payment transactions processed on or after July 1, 2012.

20 EXPLANATION

21 This bill prohibits the imposition of interchange fees on
22 specified portions of electronic payment transactions.

23 The bill contains several definitions. The bill defines an
24 "electronic payment transaction" to mean a transaction in which
25 a person uses a debit card, credit card, or other payment code
26 or device, issued or approved through a payment card network
27 to debit an asset account or use a line of credit, whether
28 authorization is based on signature, personal identification
29 number, or other means. The bill defines an "interchange fee"
30 to mean any fee established, charged, or received by a payment
31 card network for the purpose of compensating the issuer for
32 its involvement in an electronic payment transaction. The
33 bill defines an "issuer" to mean any person who issues a debit
34 card, credit card, or the issuer's agent. The bill defines
35 "payment card network" to mean an entity that directly, or

LSB 5515SC (2) 84

-3-

rn/sc

3/5



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 13, 2012

S.F. _____

1 through licensed members, processors, or agents, provides
2 the proprietary services, infrastructure, and software that
3 route information and data to conduct debit card or credit
4 card transaction authorization, clearance, and settlement, and
5 that a merchant or seller uses in order to accept as a form of
6 payment a brand of debit card, credit card, or other device
7 that may be used to carry out debit or credit transactions.
8 The bill defines "settlement" to mean the transfer of funds
9 from a customer's account to a seller or merchant upon
10 electronic submission of finalized sales transactions to the
11 payment card network.

12 The bill provides that the amount of any tax or fee imposed
13 by state or local government that is calculated as a percentage
14 of the payment amount and listed separately on the payment
15 invoice or other demand for payment, or the amount of any
16 state fuel taxes imposed, shall be excluded from the amount
17 of an interchange fee charged for the purpose of completing
18 an electronic payment transaction. The bill provides that it
19 shall be unlawful to alter or manipulate these provisions by
20 increasing the rate or amount of fee applicable to or imposed
21 upon that portion of an electronic payment transaction not
22 attributable to a state or local tax or fee.

23 The bill's provisions are subject to the powers and
24 authority of the attorney general or the attorney general's
25 designee. The bill provides for a civil penalty if a person
26 has intentionally violated the bill's provisions of not
27 less than \$1,000 nor more than \$5,000 for each violation.
28 Additionally, the bill provides that a person paying
29 interchange fees imposed in violation of this chapter may
30 bring an action at law to recover actual damages, and that the
31 court may order such equitable relief as it deems necessary,
32 including temporary and permanent injunctive relief.

33 The bill specifies procedures for exclusion of taxes or fees
34 from the computation of interchange fees. The bill provides
35 that a payment card network shall either deduct the amount

LSB 5515SC (2) 84

rn/sc

4/5



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 13, 2012

S.F. _____

1 of any tax or fee from the calculation of interchange fees
2 specific to each form or type of electronic payment transaction
3 at the time of settlement, or rebate an amount of interchange
4 fee proportionate to the amount attributable to the tax or fee.
5 The bill provides that the deduction or rebate shall occur at
6 the time of settlement when the merchant or seller is able to
7 capture and transmit tax or fee amounts relevant to the sale
8 at the time of sale as part of the transaction finalization.
9 In the event that the merchant or seller is unable to capture
10 and transmit tax or fee amounts relevant to the sale at the
11 time of sale, such as when the tax or fee is collected at the
12 wholesale level or when a credit or debit card terminal is
13 incapable of capturing and transmitting tax or fee amounts,
14 the bill provides that the payment card network shall accept
15 proof of tax or fee amounts collected on sales subject to
16 an interchange fee upon the submission of sales data by the
17 seller or merchant and promptly credit the merchant or seller's
18 settlement account.

19 The bill provides that in the event that any provision
20 contained in the bill or its application is held to be invalid
21 with regard to a federally chartered bank or other financial
22 institution, it shall be held equally invalid with regard to a
23 financial institution licensed by or operating within Iowa.

24 The bill includes a provision in Title XIII of the Code,
25 governing commerce, indicating that the computation of an
26 interchange fee established, charged, or received by a payment
27 card network for the purpose of compensating the issuer for
28 its involvement in an electronic payment transaction shall be
29 governed by the provisions of Code chapter 424A, as created in
30 the bill.

31 The bill is applicable to electronic payment transactions
32 processed on or after July 1, 2012.



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 13, 2012

Senate Study Bill 3194 - Introduced

SENATE FILE _____
BY (PROPOSED COMMITTEE ON
WAYS AND MEANS BILL BY
CHAIRPERSON BOLKCOM)

A BILL FOR

1 An Act providing for the allocation of moneys from the primary
2 road fund and the disposition of federal aid road funds.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

TLSB 6101XC (1) 84
dea/rj



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 13, 2012

S.F. _____

1 Section 1. Section 313.4, subsection 1, Code Supplement
2 2011, is amended by adding the following new paragraph:
3 NEW PARAGRAPH. c. The commission may allocate moneys from
4 the fund for the establishment, construction, and maintenance
5 of the secondary road system and municipal street system in
6 exchange for retaining in the fund all or a portion of federal
7 aid road funds that would otherwise be allocated to counties
8 and cities.

9 EXPLANATION

10 In the "Road Use Tax Fund Efficiency Report", January 2012,
11 the department of transportation identified the following
12 partnership efficiency goal: "Develop, in conjunction with
13 the regional planning affiliations and metropolitan planning
14 organizations and other stakeholder groups, a process to
15 exchange STP (surface transportation program) federal funds
16 for primary highway system funds for the purpose of reducing
17 the number of small projects that have to meet onerous federal
18 requirements".

19 This bill authorizes the transportation commission to
20 allocate moneys from the primary road fund to be used on the
21 secondary road system and the municipal street system. The
22 allocation would be in exchange for all or a portion of federal
23 aid road funds that would otherwise be allocated to counties
24 and cities.